

THE MADRAS LEGISLATIVE ASSEMBLY

Saturday, 26th November 1955.

The House met in the Assembly Chamber, Government Estate, Mount Road, at nine of the clock, Mr. Speaker (THE HON. SRI N. GOPALA MENON) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Koothali Estate, Malabar

* 2878 Q.—SRI P. K. GOPALAKRISHNAN (on behalf of Sri K. P. Gopalan) : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that trees worth about 5 lakhs of rupees were cut away without proper authority from the Koothali Estate, Malabar, managed by the Government now;

(b) whether the Government have received any representation regarding the matter; and

(c) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM : (a) No. Since 1939, trees worth about Rs. 14,700 only were illicitly cut from the estate forests and a sum of about Rs. 12,400 were recovered by way of compounding fees and by sale of seized cuttings.

(b) Yes.

(c) Action was taken to prosecute the offenders in most cases. The offenders were convicted in four cases and acquitted in three cases. Nineteen cases were compounded and the cuttings seized were sold in auction. Prosecution is pending in five cases. To prevent illicit cuttings, the provisions of section 26 of the Madras Forest Act, 1882, were extended to the Pillaperuvannalavaram and the management of the Forest has since been taken over by the Forest Department.

SRI M. NARAYANA KURUP : In the various prosecutions who were all the accused? Was any one of the officials who connived at the cutting and made profit out of it among the accused?

THE HON. SRI C. SUBRAMANIAM : From the information I have, I do not think that any of the officials was prosecuted.

SRI C. KUNHIRAMA KIDAV : When was this brought to the notice of the Government and when was action taken?

THE HON. SRI C. SUBRAMANIAM : It came to the notice of the Government in 1954. Immediately action was taken.

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SRI M. NARAYANA KURUP : Apart from the question whether any official was prosecuted, is it not a fact that but for the indirect connivance of the officials such large-scale cutting was impossible and if it were so, what steps do the Government propose to take to tighten up matters?

THE HON. SRI C. SUBRAMANIAM : A separate question may be put to my Hon. Colleague in charge of Forests. I am concerned only with the prosecutions. With reference to the preservation of forests and the further action to be taken, a separate question may be put.

SRI T. C. NARAYANAN NAMBIAR : On what basis was the valuation of the illegally cut timber made by the Government? It was stated that trees worth about rupees five lakhs were cut and it appeared in responsible dailies like "Mathrubhumi."

THE HON. SRI C. SUBRAMANIAM : After looking into the physical features in the forest with regard to the cutting of trees, an estimate was made. The cases detected also give an approximate idea of the cuttings. It is only on that basis that this calculation has been made. I am not prepared to say that this is the correct estimate. There might be some cases which have not been detected.

Cattle Farms

* 2879 Q.—**SRI K. ARANGANATHAN :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) the number of barren cows made fertile during the years 1953-54 in the Government Cattle Farms in the State;

(b) the nature of propaganda done by the Animal Husbandry Department on this and its effect?

THE HON. SRI M. BHAKTAVATSALAM : (a) The number of barren cows made fertile during 1953 and 1954 in the Government Cattle Farms in the State is 44 and 90 respectively.

(b) In the Government Livestock Farms the animals are examined for sterility systematically when they do not take the bull and suitable remedial measures are taken, as and when necessary.

In the Key Village and Artificial Insemination Centres every cow or she-buffalo is examined for sterility and all those suspected for sterility are treated and then inseminated.

In the Veterinary Institutions animals brought for sterility are examined and given suitable treatment and owners are given necessary advice.

In view of the Artificial Insemination work in Key Villages on a large scale in the urban and rural areas, the sterility problem which had not been taken up in the past is at present being tackled very extensively and the results are encouraging. The itinerant staff in

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the course of their tour keep a close watch over the sterile animals in the villages and advise the farmers to have the sterile animals treated according to the causes responsible for the condition.

SRI M. NARAYANA KURUP : Have this Government taken any notice of the expression of opinion by the Head of a State that he saw once the process of artificial insemination and that he does not want to see it again?

THE HON. SRI M. BHAKTAVATSALAM : I am not aware of it.

SRI K. ARANGANATHAN : பால் கொடுக்கும் காலத்தையும், பால் அதிகமாகக் கொடுப்பதற்கும் அரசாங்கம் ஏதாவது பரிசோதனை செய்திருக்கிறதா? அப்படியென்றால் இதைப்பற்றி அவர்கள் விவசாயிகளுக்குக் கொடுக்கும் யோசனை என்ன?

THE HON. SRI M. BHAKTAVATSALAM : இது பற்றி ஒரு தனி கேள்வி கேட்கலாம்.

MR. SPEAKER : The Hon. Ministers in charge of Health and Religious Endowments are not able to be present to-day. Therefore, questions relating to the portfolios of those Ministers will be taken up the next day.

(* 2880 Q.—Postponed to 29th November 1955.)

Taxation for improvements to irrigation tanks

* 2881 Q.—**SRI S. R. ARUMUGAM :** Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the District Half-yearly Irrigation Conference held at Coimbatore on 2nd May 1955 recommended to the Government to authorize the local irrigation Committees to collect taxes for silt clearance in and repairs to the irrigation tanks in the Coimbatore district under the Kudimaramath system; and

(b) if so, action taken thereon?

THE HON. SRI M. A. MANICKAVELU : (a) The subject did not come up for discussion at the Half-yearly Irrigation Conference held on 2nd May 1955.

(b) Does not arise.

SRI S. R. ARUMUGAM : கிராமங்களில் உள்ள குளங்கள் கெட்டுப் போய், அவற்றை “ரிப்பேர்” செய்யவேண்டுமென்று சர்க்காருக்கு எழுதினால், ரிப்பேர் செய்வதற்கு அதிக நாட்கள் ஆகின்றன; மூன்று வருஷங்கள் ஆகின்றன. ஒவ்வொரு கிராமத்திலும் உள்ள குளங்களுக்கு “இரிகேஷன் கமிட்டிகள்” இருக்கின்றன. அந்தக் கமிட்டியினர்தான் அந்தக் குளங்களிலுள்ள தண்ணீரையெல்லாம் விவசாயிகளுக்குப் பகிர்ந்து கொடுப்பதற்குப் பொறுப்பாளிகள். அந்தக் கமிட்டிகளே குளங்களிலுள்ள வண்டல்களை எடுத்துக்கொண்டு அதன்மூலமாக வரியை வசூலித்து, அந்தக் குளங்களை “ரிப்பேர்” செய்வதற்கு ஒத்துக்கொண்டால், ரிப்பேர் செய்வதற்கு வேண்டிய செலாகரியங்கள் இருக்கும். சீக்கிரமாகவும் ரிப்பேர் செய்யலாம். காலதாமதம் ஆகாது. ஆகையால் அந்தத் திட்டத்தை அமுல் நடத்த சர்க்கார் ஒத்துக்கொள்வார்களா?

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THE HON. SRI M. A. MANICKAVELU : அந்தத் திட்டம் என்ன என்று தெரியவில்லை. அந்தத் திட்டம் கமிட்டி முன்பே வரவில்லை என்று சொன்னேன். ஆகையால் அந்தத் திட்டம் என்றால் விளங்கவில்லை. ஆகவே இதைப்பற்றி தனிக் கேள்வி கேட்டால் ஆலோசிக்கப்படும்.

Ex-Madras Electric Supply Corporation

* 2882 Q.—**SRI K. R. SAMBANDAM :** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the ministerial staff of the ex-Madras Electric Supply Corporation, Limited, were absorbed in Government service on a regular basis; and

(b) if not, why?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) & (b) The members of the ministerial establishment of the ex-Madras Electric Supply Corporation who possessed the required minimum general educational qualifications were absorbed in suitable posts in the Madras Ministerial Service. The number so absorbed is 15. There are now 103 members of the ex-Madras Electric Supply Corporation ministerial establishment who could not be brought on to regular Government service as they do not possess the required qualifications. If and when they acquire the necessary qualifications they will also be absorbed in Government service on a regular basis.

SRI K. R. SAMBANDAM : 1947-ல் சர்க்காருடன் இந்த எம்.ஈ. எஸ். சேர்க்கப்பட்டது. இன்னும் பலபேருக்கு குவாலிபிகேஷன் இல்லை என்ற காரணத்திற்காக அவர்களை நிறுத்திவைத்திருப்பதாக கனம் மந்திரி அவர்கள் சொன்னார். அவர்கள் கிட்டத்தட்ட 30 வருஷங்களாக வேலை செய்தவர்கள். அவர்களுக்கு பல வருஷ சர்வீஸ் இருந்தும் அவர்களுக்கு ஒரு விதமான இன்சிரிமெண்ட் கொடுக்கவில்லை. அது இல்லாமல் அவர்கள் கஷ்டப்படுகிறார்கள். அவர்களை ஸ்பெஷல் கேடரில் வைக்காமல் அவர்களுடைய சர்வீஸை ரெகுலர் சர்வீஸாக சேர்த்துக்கொள்வதற்கு சர்க்கார் முயற்சிப்பார்களா என்று கேட்கிறேன்.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : அவர்களை ரெகுலர் சர்வீஸில் சேர்ப்பது என்றால் அவர்களுக்குக் குவாலிபிகேஷன் வேண்டும். அதனால்தான் அவர்கள் சேர்க்கப்படாமல் இருக்கிறார்கள். அவர்களை அப்படிச் சேர்த்துக்கொள்வதாக இருந்தால் மற்றவர்களையும் அப்படிச் சேர்த்துக்கொள்ளும்படியாக நிலைமை ஏற்படும். இல்லாவிட்டால் ஆட்சேபணைகள் ஏற்படும். அதனால் அதைப்பற்றி யோசனை பண்ணித்தான் சொல்லமுடியும்.

SRI K. R. VISWANATHAN : May I know, Sir, whether in view of the fact that they have put in a very long service, they will be exempted from the necessary minimum qualification and be absorbed in regular service?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : There is a limit to relaxing the qualifications, Sir. Already even in the case of those fifteen persons who have been absorbed, relevant rules have been relaxed with much difficulty.

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SRI S. DAIVASIGAMONEY : Sir, the ministerial staff of the ex-Madras Electric Supply Corporation, if they had continued in service in the Madras Electric Supply Corporation, they would have had all facilities which the Government employees are now enjoying. Simply because of the fault of the Government in having taken over the Madras Electric Supply Corporation, is it fair on the part of the Government to deprive them of their future increments and other emoluments? Also, in view of the fact that the Government have already exempted them from certain disqualifications, would they think at least in the near future of putting them in the regular Government cadre and giving them certain benefits which they are entitled to?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : Well, as I have made it clear, they are not entitled to, because of the qualification prescribed for Government service. But, we have got to look at the question from a humanitarian point of view, as the hon. Member suggested and try to evolve a solution to regularize them. They are all employed; they are not sent out. The only thing is they are not regularized and that we will have to specially consider.

SRI S. RAMALINGAM : ஸார், அவர்களுக்கு குவாலிபிகேஷன் போதிய அளவு இல்லாவிட்டாலும்கூட வேலை பார்ப்பது அநேகமாக எல்லோரும் ஒரே மாதிரியாகத்தான் பார்க்கிறார்கள். அப்படி இருக்கும்போது அவர்களிடையே தாரதமியம் பார்ப்பது சரியல்ல. ஆகையினால் சட்டப்படி அவர்களை ரெகுலரைஸ் பண்ணாவிட்டாலும் மற்றவர்களுக்குக் கொடுப்பதுபோல் அவர்களுக்கும் சம்பளத்தைக் கொடுப்பதற்கு சர்க்கார் முன் வருவார்களா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : That aspect of it can be considered.

SRI N. K. PALANISAMY : மத்திய சர்க்காருடைய 1948-ம் வருஷத்திய சென்ட்ரல் எலெக்ட்ரி சிட்டி ஆக்ட் தொழிலாளர்களுக்கு மட்டும் அல்ல, பொது ஜன செளகர்யத்துக்கும் தான் ஏற்பட்டது. அதை எப்பொழுது அமுலுக்குக் கொண்டு வரப் போகிறார்கள் என்பதை சொல்ல முடியுமா?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : That has no bearing on this question.

(* 2883 Q.—Postponed to 29th November 1955.)

Government Basic Training School, Palghat

* 2884 Q.—**SRI K. C. GOPALAN UNNI :** Will the Hon. the Minister for Finance be pleased to state—

9-10
a.m.

(a) whether it is a fact that the Basic Training School (Government Secondary), Palghat, has been shifted to Anakkara, Ponnani taluk; and

(b) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM : (a) & (b) The Basic Training School, Palghat, has been ordered to be shifted to Anakkara in July 1955 for the following reasons—

(1) It was located in rented buildings in Palghat.

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(2) Government buildings have been constructed at Arakkara.

(3) A high rent of Rs. 245 per mensem was being paid for the building at Palghat.

(4) Anakkara being a rural place is more suited for the proper development of the school.

SRI K. KUNHI MOHAMED SHAFEE : Was there no suggestion before the Government for consideration about constructing a suitable building in Palghat itself for the Basic Training School which has been ordered to be shifted to Anakkara in Ponnani taluk?

THE HON. SRI C. SUBRAMANIAM : Sir, if any further Training Schools are to be started, perhaps the question of locating it at Palghat may be considered then.

Knitting factories in Tirupur town

* 2885 Q.—**SRI S. R. ARUMUGAM :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether any representation was made to the Chief Inspector of Factories, Madras, on 13th April 1955 to exempt all the knitting factories in Tirupur town which are run by one horse-power motors; and

(b) if so, the action taken by the Government thereon?

THE HON. SRI M. BHAKTAVATSALAM : (a) No, Sir.

(b) Does not arise.

SRI S. R. ARUMUGAM : இந்தத் தேதியில் சீப் இன்ஸ்பெக்டரிடமிருந்து வந்த ரிப்போர்ட்டின் தன்மை என்ன? ரிப்போர்ட் வரவில்லை என்பது சர்க்காருடைய உத்தேசமா என்று கேட்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : 1955-ம் வருஷம் ஏப்ரல் மாதம் 13-ம் தேதி சீப் இன்ஸ்பெக்டருக்கு ரிப்போர்ட் ஒன்றும் வரவில்லை.

SRI S. R. ARUMUGAM : திருப்பத்தூரில் சுமார் 250 நிட்டிங் பாக்டரிகள் இருக்கின்றன. அவைகளில் 30 நிட்டிங் பாக்டரிகளில் பாக்டரி ஆக்கை அமுல் நடத்திக்கொண்டு வருகிறார்கள். மற்றவைகள் எல்லாம் சிறிய பாக்டரிகளாக அமைத்து குடிசைத் தொழில் முறையில் நடந்து வருகின்றன. அவைகளில் எல்லாம் ஒன்று அல்லது இரண்டு குதிரை வேகத் திறகு மேல் இல்லாத தறிகள்தான் வேலை செய்யும். நாம் இப்போது குடிசைத் தொழில்களை ஆதரிக்கவேண்டும் என்று சொல்லிக்கொண்டு வருகிறோம். அதனால் இந்த சிறிய பாக்டரிகளுக்கு பாக்டரி ஆக்ட் இல்லாமல் விதி விலக்கு அளிக்க சர்க்கார் யோசனை செய்வார்களா என்று கேட்கிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : சீப் இன்ஸ்பெக்டர் இந்த தனிப்பட்ட பாக்டரிகளின் தன்மையைத் தெரிந்துகொண்டு சிபாரிசு செய்தால் அதைப்பற்றி பரிசீலனை செய்யப்படும்.

(* 2886 Q.—Postponed to 29th November 1955.)

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Renovation of tanks for irrigation, etc.

* 2887 Q.—SRI S. R. ARUMUGAM: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether any representation was made to the Hon. Chief Minister on 5th May 1955 by the Public of Sowripalayam, Puliya-kulam and Odayarpalayam to renovate the old Ammankulam near Coimbatore town for irrigation and drinking water purposes; and

(b) if so, when the work is likely to be taken up for execution?

THE HON. SRI M. A. MANICKAVELU: (a) & (b) Yes, Sir. The Government however have examined more than once the scheme of restoration of Ammankulam tank but dropped it since it was found not possible to execute the scheme without infringing upon the lower riparian rights of the ayacutdars of the Singanallur tank. It was also found not possible in actual practice to divert the flows in Sanganur Pallam to Ammankulam tank without detriment to the Singanallur tank.

Supply of water from Mettur

* 2888 Q.—SRI M. D. THIAGARAJA PILLAI: Will the Hon. the Minister for Public Works be pleased to state—

(a) the water at the Mettur reservoir on the 18th and 19th August in 1954 and in 1955;

(b) whether it is a fact that the Government propose to supply water to Salem district for a new area under the Left Bank Canal; and

(c) whether it is a fact that water is being supplied through Right Bank Canal for lands in Coimbatore district.

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI: (a)

	18th August	19th August.
1954	121.3	121.5
1955	68.4	68.5

(b) The proposal was deferred some time back but is again under consideration.

(c) Yes, Sir.

(* 2889 Q.—Postponed to 29th November 1955.)

(* 2890 Q.—Not put by the Member.)

Plywood Industry in Malabar

* 2891 Q.—SRI V. R. KRISHNA AYYAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the Government are purchasing plywood for use in Government works; and

(b) whether any encouragement is being given by this Government to the Plywood Industry in Malabar and if so, how?

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THE HON. SRI M. BHAKTAVATSALAM: (a) Yes, Sir.

(b) The policy of Government is to provide all reasonable facilities to industries in the State. In order to ensure a sufficient supply of raw materials at steady and reasonable prices for the plywood industry, the Government have ordered that softwood forest coupes in the South Kanara, Wynaad and Palghat forest divisions should be leased to the South Indian Plywood Manufacturers' Association, Feroke, at favourable negotiated rates, instead of being auctioned, as is being done in the case of other forest produce.

SRI K. KUNHI MOHAMED SHAFEE: To what extent the Government purchases plywood from the existing plywood factories in Malabar?

THE HON. SRI M. BHAKTAVATSALAM: Plywood is used in Government works only to a very small extent, viz., to provide wooden partition in buildings and making screens and such other items of furniture.

(* 2892 Q.—Postponed to 29th November 1955.)

Language test for Commercial Taxes Service

* 2893 Q.—SRI T. C. NARAYANAN NAMBIAR: Will the Hon. the Minister for Revenue be pleased to state with reference to the answer to question No. 1466 given on 19th March 1955.

(a) whether the amendment introducing second-class language test for the Commercial Taxes Service has since been issued and if so, when;

(b) whether any officers of the department who have not passed any language test have been promoted and if so, the reasons therefor; and

(c) whether the Government will place a copy of the orders introducing the amendment on the table of the House?

THE HON. SRI M. A. MANICKAVELU: The particulars are furnished below:—

(a) Yes, Sir. In March 1955.

(b) No Sir.

(c) The amendment to the Special Rules for the Madras Commercial Taxes Service has been published as Notification No. 103, dated 8th March 1955 at page 384 of Part I of the *Fort St. George Gazette*, dated 16th March 1955. The notification may be referred to.

SRI T. C. NARAYANAN NAMBIAR: May I be informed, Sir, whether the spirit of the assurance given by the Hon. Minister on March 19, has been implemented with regard to the Assistant Commercial Tax Officers and Deputy Commercial Tax Officers?

THE HON. SRI M. A. MANICKAVELU: After the partition of Andhra a suitable change was made with regard to second language.

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SRI T. C. NARAYANAN NAMBIAR : My point is not with regard to Telugu. But, as far as the composite nature of this State exists, there are two languages and Tamil is a language which a majority of the people speak. There is no doubt about it. But, as long as State is of a composite nature, is it not obligatory on the part of the officer concerned to pass the other language test also?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. That is why Telugu was the second language then. But now, it is not so.

(* 2894 Q.—Postponed to 29th November 1955.)

Bifurcation of Thathiengarpet Panchayat Board.

* 2895 Q.—**SRI P. RANGASWAMI REDDIAR :** Will the Hon. the Minister for Local Administration be pleased to state— 9-20 a.m.

(a) whether the villagers of Vadamalaipatty, Musiri taluk, Tiruchirappalli district, sent mahazars to the Government in December, 1954, requesting the Government to bifurcate the Thathiengarpet Panchayat Board and constitute a separate Panchayat for their village; and

(b) if so, whether the question of bifurcation was examined by the Government and if so, with what result?

THE HON. SRI S. S. RAMASAMY PADAYACHI : (a) A petition, dated 17th March 1955 has been received by Government.

(b) The receipt of the report called for from the Inspector of Municipal Councils and Local Boards in the matter is awaited.

SRI P. RANGASWAMI REDDIAR : What are the main complaints made by the villagers of Vadamalaipatti to have bifurcation of the Thathiengarpet Panchayat Board and the constitution of a separate Panchayat for their village?

THE HON. SRI S. S. RAMASAMY PADAYACHI : Their main complaints relate to the laying of roads, opening of a reading room and library and repairing of some dilapidated walls in the village. These things have already been done by the Government.

SRI V. K. RAMASWAMY MUDALIAR : What is the policy of the Government with regard to the bifurcation of the Panchayat Boards?

THE HON. SRI S. S. RAMASAMY PADAYACHI : The old policy is continued.

SRI P. RANGASWAMI REDDIAR : Is it a fact that this is one of the several instances wherein there is a Panchayat comprising several villages and only one main village is benefited solely at the cost of the other villages?

THE HON. SRI S. S. RAMASAMY PADAYACHI : There is no such thing.

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Opening of a Subordinate Judge's Court at Kasaragod

* 2896 Q.—SRI M. NARAYANAN NAMBIAR: Will the Hon. the Minister for Finance be pleased to state—

(a) whether there is any proposal under the consideration of the Government to establish a Subordinate Judges' Court at Kasaragod, South Kanara; and

(b) if so, when?

THE HON. SRI C. SUBRAMANIAM: (a) No, Sir.

(b) Does not arise.

SRI Y. MANJAYA SHETTY: May I know whether there is a proposal to shift one of the Sub-Courts from Mangalore to Udupi recommended by the High Court and if so, what steps the Government have taken in the matter?

THE HON. SRI C. SUBRAMANIAM: In view of the proposed reorganization of the State, the Government do not propose to pursue the matter.

SRI M. NARAYANAN NAMBIAR: In view of the fact that the majority of cases tried by the courts in Mangalore relate to Kasaragod taluk which includes the Hosdrug sub-taluk, there is a great demand from the people of that taluk that the Sub-Court should be shifted to Kasaragod and representation has also been made to the Hon. the Chief Minister when he last visited Kasaragod. So, will the Government reconsider the question and see that the Sub-Court is shifted to Kasaragod for the convenience of the people there?

THE HON. SRI C. SUBRAMANIAM: I am sure that at the appropriate time the appropriate Government will consider this aspect of the matter.

SRI S. SWAYAMPRAKASAM: Arising out of the answer given by the Hon. the Leader of the House, may I know whether it is the policy of the Government not to proceed with a particular matter pending the reorganization of States. Various Legislatures in the country are discussing the Report of the States Reorganization Commission. It may be that certain States may or may not be in a position to implement certain proposals. Under these circumstances, is it proper on the part of the Hon. Leader of the House to say that the Government cannot give effect to certain proposals?

THE HON. SRI C. SUBRAMANIAM: I do not want to take a decision now prejudging things to come. That is why I am awaiting the decision of the various Legislatures and the Parliament and only after their decision, this question will be taken up. As I said earlier, I am not pursuing the matter.

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Thillainagar Co-operative House Construction Society

* 2897 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Minister for Agriculture be pleased to state—

(a) the amount, lent by the Government so far, to the Thillainagar Co-operative House Construction Society, Ltd., Tiruchirappalli;

(b) the amount, if any, repaid to the Government by the Society; and

(c) the number of houses in each class constructed by the Society so far?

THE HON. SRI M. BHAKTAVATSALAM: (a) Rs. 28,94,600;

(b) Rs. 3,97,600 towards principal and Rs. 1,63,957-15-4 towards interest; and

(c) 18 A class, 40 B class, 222 C class and 108 D class houses or in all 388 houses.

SRI P. RANGASWAMI REDDIAR: What is the maximum amount of loan given to an individual member in respect of each class of houses and the rate of interest charged for it? Also are the Government aware that a large number of houses are constructed and let for others and not occupied by the members?

THE HON. SRI M. BHAKTAVATSALAM: I would like to have notice. I may add that even if the houses constructed through the Co-operative Society are let to others, to that extent the housing shortage is met with.

SRI P. RANGASWAMI REDDIAR: There are four classes of houses constructed by the Society. May I know approximately the maximum amount granted by way of loan to each class of houses?

THE HON. SRI M. BHAKTAVATSALAM: I am sorry I do not have that information with me just now.

SRI S. RAMALINGAM: கூட்டுறவு முறையில் ஏற்கெனவே சொந்தமாக வீடு உள்ளவர்களையும் அங்கத்தினராகச் சேர்த்துக்கொண்டு உதவி செய்தாலும் இவர்கள் புதியதாகக் கட்டுகின்ற வீடுகளை வாடகைக்கு விடுவதால் இது ஒரு வகையில் வீட்டுக் கஷ்டத்தைப் போக்குகிறது என்று கனம் மந்திரி அவர்கள் சொன்னார்கள். இருந்தாலும் கூட்டுறவு சங்கத்தில் ஏற்கெனவே சொந்தமாக வீடு இல்லாதவர்களையே அங்கத்தினராகச் சேர்த்துக்கொண்டு உதவி செய்ய சர்க்கார் உத்திரவு போடுமா?

THE HON. SRI M. BHAKTAVATSALAM: அதுபற்றி தனியாக ஒரு கேள்வி கேட்டால் அதை கவனித்து பதில் சொல்லப்படும்.

(* 2898 Q.—Postponed to 29th November 1955.)

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Land reserved for depressed classes in Arungunam village

* 2899 Q.—SRI K. VINAYAKAM (on behalf of Sri D. Dasarathan): Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the land S. No. 46/1 in Arungunam village, Wandiwash taluk, North Arcot district reserved for the Depressed Classes has been resumed by the Government from the Caste Hindu Occupant;

(b) when the resumption proposal was taken up by the Revenue Department; and

(c) the present stage of the proposal?

THE HON. SRI M. A. MANICKAVELU: (a) to (c) In August 1954 the Revenue Divisional Officer, Tiruvannamalai, ordered resumption of the land. On an appeal submitted by the caste-Hindu occupant, the matter was examined by the Government and it was found that the resumption order passed by the Revenue Divisional Officer was not correct. The Government have therefore issued orders in August 1955 directing the cancellation of the resumption order.

(* 2900 Q.—Postponed to 29th November 1955.)

Disturbances on "Shariyat" day in Malabar

* 2901 Q.—SRI T. C. NARAYANAN NAMBIAR: Will the Hon. the Minister for Finance be pleased to state—

whether the Government have received any reports regarding the disturbances that occurred among Muslims in Malabar district as a result of the observance of "Shariyat" day in Mosque in the district recently?

THE HON. SRI C. SUBRAMANIAM: The answer is in the affirmative.

Minimum wages to workers

* 2902 Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Minimum Wages State Advisory Board unanimously recommended to the Government at its meeting held on 4th July 1955 to take steps to revise the minimum wages fixed for the Local Board employees including municipal employees; and

(b) if so, the action proposed to be taken in the matter?

THE HON. SRI M. BHAKTAVATSALAM: (a) Yes, Sir.

(b) The matter is under consideration.

SRI N. K. PALANISAMY: நம் மாகாணத்தில் குறைந்தபட்ச சம்பளம் நிர்ணயித்திருப்பது மிகவும் முற்போக்கான செய்கைதான். இருந்தாலும் முன்பு இருந்த வாழ்க்கை நிலவரத்திற்கு ஏற்றபடி குறைந்தபட்ச சம்பளம் நிர்ணயிக்கப்பட்டிருக்கிறது. இன்றைக்குள்ள நிலவரப்படி அதை மாற்றியமைக்க சர்க்கார் ஏற்பாடு செய்யுமா?

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THE HON. SRI M. BHAKTAVATSALAM : கேட்கப்பட்டிருக்கும் அசல் கேள்வியிலிருந்து இந்த உப கேள்வி பிறக்கவில்லை.

* 2903 Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Minimum Wages State Advisory Board unanimously recommended to the Government at its meeting held on 4th July 1955 to appoint a committee for revising the minimum wages fixed for the oil, rice, dhal and flour mill workers in the State; and

(b) if so, the action proposed to be taken in the matter?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) The matter is under consideration.

SRI N. K. PALANISAMY : இப்பொழுதாவது முன்பு கேட்ட கேள்விகள் குப் பதில் சொல்லும் படியாகக் கேட்டுக்கொள்ளுகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : இப்பொழுது நான் பதில் அளித்திருக்கும் அசல் கேள்வியிலிருந்தும் இந்த உப கேள்வி பிறக்கவில்லை யென்று தெரிவித்துக் கொள்ளுகிறேன்.

SRI P. K. GOPALAKRISHNAN : May I know whether the Committees constituted by the Government have submitted their report to the Government and if so, what action has been taken on it by them?

THE HON. SRI M. BHAKTAVATSALAM : No, Sir. The Government have constituted the Committees but the Committees have not taken up the matter and reported.

* 2904 Q.—**SRI P. K. GOPALAKRISHNAN** (on behalf of Sri K. P. Gopalan) : Will the Hon. the Minister for Agriculture be pleased to state— 9-30 a.m.

(a) whether the Government have received any recommendation from the Minimum Wages Central Advisory Board regarding the minimum wage to be fixed for an adult worker for a normal working day in the State;

(b) if so, the rate recommended; and

(c) whether the Government propose to give effect to the recommendation in the State?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) The lowest minimum wages recommended for an adult worker for a normal working day are Rs. 2, Rs. 1-10-0, Rs. 1-6-0 and Rs. 1-2-0. The rates are to depend upon such area-wise and employment-wise classification of employments on the basis of existing wage levels as may be made by the appropriate Government.

(c) The recommendation will be kept in view when the revision of the rates in any of the scheduled employments is taken up.

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SRI N. K. PALANISAMY : முந்திய கேள்வியில் நான் கேட்ட உப கேள்விக்கு இந்தக் கேள்வியின் கீழ் பதில் சொல்லக் கேட்டுக் கொள்ளுகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : கனம் அங்கத்தினர் கேட்கின்ற உப கேள்விக்கு இப்பொழுதே நான் பதில் சொல்லிவிட்டேன். (சிரிப்பு.)

SRI P. K. GOPALAKRISHNAN : May I know, Sir, whether the recommendations made by the Minimum Wages Central Advisory Board are to be made applicable to agricultural labourers also and if so what action the Government propose to take to implement the recommendations with regard to agricultural labourers?

THE HON. SRI M. BHAKTAVATSALAM : The question of fixing minimum wages for agricultural labourers has not yet been taken up.

SRI N. K. PALANISAMY : கட்டிடம் கட்டும் தொழிலாளர்கள் விஷயமாக குறைந்தபட்சச் சம்பளம் நிர்ணயிப்பதற்கு சர்க்கார் என்ன நடவடிக்கை எடுத்திருக்கிறது ?

THE HON. SRI M. BHAKTAVATSALAM : I would like to have notice. I may assure the hon. Member that the Government are taking steps to determine minimum wages for all the industries listed in the paper placed on the Table of the House.

* 2905 Q.—**SRI T. C. NARAYANAN NAMBIAR** (on behalf of Sri K. P. Gopalan) : Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether the State Government have received any communication either from the Central Government or from the Minimum Wages Central Advisory Board recommending to the State Government to add to the Schedule of industries some more industries for fixation of minimum wages to the workers in those industries under section 27 of the Minimum Wages Act, 1948; and

(b) if so, the names of such industries proposed to be added to the schedule?

THE HON. SRI M. BHAKTAVATSALAM : (a) Yes, Sir.

(b) A list of industries proposed for inclusion is placed on the table ^a of the House.

SRI P. K. GOPALAKRISHNAN : May I know whether the Government propose to implement the provisions of the Minimum Wages Act with regard to all the 27 industries which the Central Government have suggested for inclusion in the Schedule to the Act? Minimum wages have been fixed with regard to the coir industry in Travancore-Cochin State. The coir industry is also carried on to a very large extent in this State, i.e., in Malabar on the borders of Travancore-Cochin State also. People in these areas have been agitating for implementing the provisions of this

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Act in this area also. In view of the urgency of the problem, will the Government take steps expeditiously to bring coir industry also under the provisions of the Minimum Wages Act and fix minimum wages for workers in the coir industry?

THE HON. SRI M. BHAKTAVATSALAM : As I said, the Government propose to take up all the 27 industries for fixing minimum wages. Regarding the difficulty pointed out with reference to coir industry, I may state, that minimum wages are being fixed for workers in this industry also. But there are certain difficulties when the minimum wages fixed vary in the borders between this State and the Travancore-Cochin State. This question was discussed at the last Conference of Labour Ministers at Hyderabad and it was suggested that the representatives of both the Governments concerned should meet and discuss so that uniform minimum wages might be fixed in both the States and that there might not be any evasion of payment of wages by managements.

SRI N. K. PALANISAMY : சம்பளத் தகராறு ஏற்பட்டு, ஒரு டிரிப்யூனலானது தீர்ப்பு கொடுக்கும்போது இந்த மாதிரியாக ஒவ்வொரு தொழிலுக்கும் குறைந்தபட்ச சம்பளம் எந்த அளவுக்கு நிர்ணயிக்கப் பட்டிருக்கிறது என்பதை அடிப்படையாகக்கொண்டு தீர்ப்பு கொடுக்கப் படுகிறதா? பல தீர்ப்புகளில் இந்த மாதிரி கொடுக்கப்படவில்லை என்பது கனம் மந்திரி அவர்களுக்குத் தெரியுமா?

THE HON. SRI M. BHAKTAVATSALAM : அந்த மாதிரி கொடுக்கப் படவில்லை என்று தகவல் தெரிந்தால் அதுபற்றி கவனிக்க முடியும். குறைந்த பட்ச ஊதியம் நிர்ணயம் செய்வதை அடிப்படையாகக்கொண்டு நிர்ணயிக்கவேண்டுமென்ற நோக்கத்துடன்தான் இந்த ஏற்பாடு செய்யப்பட்டு வருகிறது.

SRI S. RAMALINGAM : பீடி, சுருட்டுத் தொழிலாளர்களுக்கு குறைந்த பட்ச சம்பளம் நிர்ணயிப்பதைப்பற்றி சர்க்கார் என்ன செய்து கொண்டிருக்கிறார்கள்?

THE HON. SRI M. BHAKTAVATSALAM : கமிட்டி சிபாரிசு செய்திருக்கிறது. அதற்குப் பிறகு சட்டப்படி மத்திய அரசாங்கம் அதன் அபிப்பிராயத்தையும் கொடுக்கவேண்டியிருந்தது. சீக்கிரத்தில் அது முடிவு செய்யப்பட்டு நிர்ணயிக்கப்படும்.

SRI P. K. GOPALAKRISHNAN : Arising out of the answer of the Hon. Minister to my question, may I know whether any dead-line has been fixed for the meeting of the representatives of both the Governments regarding fixation of minimum wages in coir industries?

THE HON. SRI M. BHAKTAVATSALAM : I do not think there is any dead-line fixed. But I am certainly looking into the matter.

SRI M. NARAYANA KURUP : Is it the Government's view that minimum wages to be paid for workers in each industry should be uniform throughout in every State irrespective of the conditions of the industry prevailing in the various States?

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THE HON. SRI M. BHAKTAVATSALAM : No, Sir. The Government do not subscribe to that general view. But in view of the difficulties pointed out in the borders particularly between Cochin and Malabar, the Government thought that both the Governments' representatives could usefully discuss the question of how evasion could be avoided.

SRI T. C. NARAYANAN NAMBIAR : It was stated that there was consensus of opinion that in Community Project areas this Act should not be implemented. May I know on what grounds this decision was arrived at?

THE HON. SRI M. BHAKTAVATSALAM : I would like to have notice to find out and tell the hon. Member the reasons behind this decision.

SRI A. RATNAM : மேஜைமேல் வைக்கப்பட்டுள்ள 27 'இன்டஸ்ட்ரீஸ்' -ல் சில ஒரேவிதமான தொழில்களாகவும், சில குடிசைத் தொழில்களாகவும், சில மில் தொழில்களாகவும் இருக்கின்றன. குறிப்பாக குடிசைத் தொழில்களில் உள்ள விம்கோ கம்பெனி கோடிக் கணக்கில் தொழில் நடத்துகிறது. ஆனால் திக்குச்சிக் குடிசைத் தொழிற்சாலை கைகளால் தொழில் செய்வதால் நடத்தப்படுகிறது. இப்படிப்பட்ட எல்லாத் தொழிலாளர்களுக்கும் ஒரே மாதிரியாக குறைந்தபட்ச கூலி நிர்ணயம் செய்ய அரசாங்கம் முன்வந்திருக்கிறதா, அல்லது ஒவ்வொரு ரகத் தொழிலாளருக்கும் ஒவ்வொரு விதமாக நிர்ணயம் செய்ய திட்டம் செய்திருக்கிறதா என்று அறியவிரும்புகிறேன்.

THE HON. SRI M. BHAKTAVATSALAM : நான் முன்பு பதில் கொடுத்தபோதே குறைந்தபட்ச ஊதியம் பலவிதமாக இருக்கலாம் என்று சொன்னேன். இதற்காக நியமிக்கப்பட்ட ஆலோசனை கமிட்டியார் இவற்றை யெல்லாம் பரிசீலனை செய்து முடிவு தெரிவித்தால், அதை வைத்துக் கொண்டு அரசாங்கம் முடிவு செய்யும்.

SRI K. KUNHI MOHAMED SHAFEE : It is found that in the list placed on the Table of the House the beedi-rolling industry has not been included. Will the Government consider the question of including this industry also along with other industries for fixing minimum wages.

THE HON. SRI M. BHAKTAVATSALAM : I may tell the hon. Member that beedi industry is already there for the purpose of fixing minimum wages.

(* 2906 Q.—Postponed to 29th November 1955.)

Unauthorized cultivation in the Lower Bhabani area

* 2907 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Revenue be pleased to state whether the Government have issued any orders to the Revenue Divisional Officer, Erode, during August 1955 vacating the Stay Order granted during July 1955 on the collection of penalty levied for unauthorized cultivation of paddy in the Lower Bhavani area?

THE HON. SRI M. A. MANICKAVELU : Yes, Sir. The order covers the entire Lower Bhavani Project area.

26th November 1955]

SRI N. K. PALANISAMY : இந்த உத்தரவு போட்டதற்குப் பிறகும் கூட ஆயக்கட்டில் சேராத பிரதேசங்களில் ஏன் தண்ட வரி வசூல் செய்யப்படுகிறது என்று கனம் மந்திரி அவர்கள் சொல்வார்களா ?

THE HON. SRI M. A. MANICKAVELU : ஆயக்கட்டு என்றால் கனம் அங்கத்தினர் எதைக் குறிப்பிடுகிறார் என்று தெரியவில்லை. அதாவது, 10 ஆயிரம் ஆயக்கட்டா, அல்லது 2 லக்ஷம் ஆயக்கட்டா என்பது சரியாகத் தெரிந்தால்தான் பதில் கொடுக்கமுடியும்.

SRI N. K. PALANISAMY : நான் ஆயக்கட்டு என்று குறிப்பிட்டது ஏற்கெனவே குறிப்பிட்டபடி இந்தமாதிரி தண்ணீர் பாயக்கூடிய பிரதேசங்களுக்குப் புறம்பாக இருக்கக்கூடிய பிரதேசங்கள்தான்.

SRI P. RAMAMURTHI : May I put the question, Sir. I understand that outside the two lakhs of acres of ayacut areas some water has leaked out in the month of September and that water has been utilized. If that has been the case, will the Government consider the question of not imposing a penalty or treating the case at least leniently?

THE HON. SRI M. A. MANICKAVELU : We are no doubt concerned with the leakage, that is, seepage by percolation. But the hon. Leader of the Opposition refers to man-made leakage.

SRI P. RAMAMURTHI : No. no. The seepage is nature-made and not man-made.

THE HON. SRI M. A. MANICKAVELU : I still doubt, Sir, whether there can be any seepage at the tail end. If there is, that matter has to be considered. The other day the whole debate proceeded on the basis that the seepage was within the ayacut area. Now it is understood that it has been outside the ayacut area of 2 lakhs acres. If the matter is specifically raised, I will consider the matter.

SRI P. RAMAMURTHI : Sir, for the information of the Hon. Minister I would like to point out that in respect of the penalty levied against those peasants who had utilized the seepage water within the ayacut area, that penalty has been removed. That question does not arise here. It is only with reference to the area beyond that that the question has been put.

THE HON. SRI M. A. MANICKAVELU : If a specific representation is given to the effect, I will have that examined.

SRI K. R. NALLASIVAM : ஆயக்கட் ஏரியா என்பதை ரெவினியூ இலாகா தவறாக புரிந்துகொண்டு இரண்டு லட்சம் ஏழாயிரம் ஏக்கருக்குள்ள நிலங்களை இந்த வருஷம் ஆயக்கட்டு இல்லை என்று அவைகளுக்கு தண்டத் தீர்வை விதித்திருக்கிறார்கள். இந்த இரண்டு லட்சம் ஏழாயிரம் ஏக்கரும் லேயர் பவானி ஆயக்கட்டைச் சேர்ந்த நிலம். லட்சத்தி அறுபதாயிரம் ஏக்கருக்கு தண்ணீர் சர்க்கார் விட்டதில் சுமார் பத்தாயிரம் ஏக்கர் வரையிலுள்ள நிலங்களுக்கு மாதிரியாக தண்ணீர் விட்டார்கள். பாக்கி இடங்கள் எல்லாம் ஆயக்கட் நிலங்கள். ஒரு பகுதிக்குத்தான் தண்ணீர் பாய்ந்திருக்கிறது. அந்த முறையில் எல்லா நிலங்களுக்கும் தண்டத் தீர்வை போடக்கூடாது. இப்பொழுது போட்டிருப்பதை நீக்குவதற்கு சர்க்கார் முயற்சி செய்வார்களா என்பதை அறிய விரும்புகிறேன்.

9-40
a.m.

[26th November 1955]

THE HON. SRI M. A. MANICKAVELU : அதைப்பற்றி தனியாக ரெபரசென்டேஷன் கொடுக்கும்படியாக கேட்டுக்கொள்ளுகிறேன். ஆயக்கட் நிர்ணயிக்கும் விஷயத்தில் சீபேஜ் முதலியவைகள் குதிரவில்லை. நாளாகும்.

SRI N. K. PALANISAMY : இந்த வருஷம் ஏராளமாக மழை பெய்து தண்ணீர் அரும்படைத்திருக்கிறது. அதைப்பற்றி ரெவினியூ அதிகாரிகளுக்கு விண்ணப்பம் செய்யப்பட்டிருக்கிறது. அப்படி அரும்படிக்கக் கூடிய இடங்களுக்கு இந்த வருஷம் தண்டத் தீர்வை விதிக்காமல் இருக்க சர்க்கார் நடவடிக்கை எடுப்பார்களா ?

THE HON. SRI M. A. MANICKAVELU : ரயத்துக்களை கேட்காமலேயே ஆபீசர்கள் அதைப்பற்றி விசாரிக்கவேண்டும் என்று உத்தரவு போடப்பட்டிருக்கிறது.

Ambur and Mannarghat Police

* 2908 Q.—**SRI P. RAMAMURTHI** (on behalf of Sri M. Kalyanasundaram) : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the police opened fire against the people in front of the Taluk police station, Ambur, North Arcot district, on 7th November 1954;

(b) the circumstances under which firing was ordered;

(c) the number that died and the number that were injured;

(d) whether Government enquired into the conduct of the police; and

(e) if so, the result thereof?

THE HON. SRI C. SUBRAMANIAM : (a) The answer is in the affirmative.

(b) On 5th November 1954, the Sub-Inspector of Police, Ambur taluk, arrested and released on bail, a person named Kannan. The next morning, an unlawful assembly, numbering about 300 brought Kannan to the police station. They alleged that the police had injured Kannan and that he should be given immediate medical treatment at the police station itself. The mob also prevented the removal of Kannan to the Municipal Dispensary. Soon afterwards, the mob entered the police station, caused mischief to the station property, inflicted an injury upon a constable and manhandled the Sub-Inspector. A lathi charge was made after issue of a warning against both, lathi charge and firing. The mob receded a little; but very soon it formed again and advanced upon the police station pelting stones. One of the crowd tried to snatch the musket from a constable. Finding that the lives of the police officials were in danger, the Sub-Inspector of police ordered one of the constables to open fire on the mob. Five rounds were fired in all before the crowd dispersed.

(c) Two persons were injured. One of them died on 9th November 1954 and the other on 13th February 1955 after contracting "purulent meningitis".

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(d) & (e) The Sub-Collector, Tirupathur, conducted an inquiry into the incident. On the basis of the facts disclosed at the enquiry, the Government have come to the conclusion that the Sub-Inspector of police was justified in having ordered the opening of fire.

The inquiry also disclosed that there were lapses on the part of some of the police officers. The officers concerned have been dealt with departmentally.

SRI K. VINAYAKAM : Sir, what is the offence for which this Kannan was arrested? Is it a fact that when in the police lock-up he was seriously manhandled and as a result received grave injuries?

THE HON. SRI C. SUBRAMANIAM : He was arrested for being found in a drunken state.

SRI A. RATNAM : கண்ணன் அவர்கள் குடித்திருந்தார் என்பதற்காக அவரை போலீஸ் கொடூரமாக அடித்து நொறுக்கியதைக்கண்டு ஜனங்கள் ஆத்திரம் அடைந்து கூடினர். ஏறக்குறைய 500 ஜனங்கள் போலீஸ் தடை வரம்பை மீறி கூடும்படியான நிலைமையை போலீஸ்காரர்கள் ஏற்படுத்தியிருக்கிறார்கள். அவ்வளவு ஜனங்கள் போலீஸ் மீது படையெடுக்கும்படியான மோசமான நிலைமையை போலீஸ் அதிகாரிகள் ஏன் உண்டாக்கினார்கள் என்பதற்குக் காரணம் கூற முடியுமா?

THE HON. SRI C. SUBRAMANIAM : கண்ணன் நொறுக்கப்பட்டு அடிபட்டான் என்பதற்கு எந்த விதமான சாட்சியமும் இல்லை. அப்படி அடித்திருந்தாலும் 300 அல்லது 400 பேர்கள் போலீஸ் ஸ்டேஷனை தாக்குவது என்பது அனுமதிக்க முடியாத காரியம். காரியம் எது நடந்திருந்தாலும் அதைப்பற்றி விசாரிக்க அதிகாரிகள் இருக்கின்றார்கள். ஜனங்களே பார்த்து நடவடிக்கை எடுப்பது என்பது சரியல்ல. ஜனங்கள் அவர்களே 300 அல்லது 400 பேர்களாவது சட்ட திட்டங்களின் வரம்பை மீறுவதை அனுமதித்தால் சட்டத்தை நிலை நாட்ட முடியாது என்பதை கனம் அங்கத்தினருக்குத் தெரிவித்துக்கொள்ளுகிறேன்.

SRI E. L. RAGHAVA MUDALIAR : Sir, is it not a fact that Kannan had grievous injuries on his person? If so, how did he come by them?

THE HON. SRI C. SUBRAMANIAM : There was no grievous injury. A few abrasions were there. It may be that Kannan might have been manhandled by the police.

SRI M. NARAYANA KURUP : Sir, the Hon. Minister said that the persons guilty of lapses were properly dealt with. May I know how they were dealt with?

THE HON. SRI C. SUBRAMANIAM : Their increment was stopped for one year.

SRI K. VINAYAKAM : Sir, apart from the fact that this Kannan was involved in a prohibition offence, is it not a fact that there is politics behind this matter and because he belonged to an Anti-Congress Party he was manhandled by the police authorities in the police station?

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THE HON. SRI C. SUBRAMANIAM: I am afraid this is purely the imagination of the hon. Member. There is absolutely no basis for that.

SRI P. RAMAMURTHI: The Hon. the Leader has himself admitted that it is possible that Kannan might have been man-handled inside the police station. In view of the fact that the police are the custodians of law and order in this country, what is the action that the Government have thought it fit to take against the officials concerned in the matter?

THE HON. SRI C. SUBRAMANIAM: Sir, I have already pointed out that there was no positive proof that he was man-handled. That is why I said it might have been possible. But there was no proof at all. Action was taken not for this but for the lapses on the part of the Sub-Inspectors of the two Police stations. The Sub-Inspector of this particular police station, when he returned from some other duty, found a large crowd which demanded that Kannan should be given medical treatment at the police station itself. Instead of deputing a police constable to bring the Medical Officer, the Sub-Inspector himself undertook the task of bringing the Medical Officer and the situation grew worse during his absence. That he should not have done. That is one lapse.

As far as the Town Police Sub-Inspector is concerned, even after hearing that there was serious trouble in the Taluk Police station he did not go there. He sent only a Head constable and two other constables. He also failed in his duty in not proceeding to the police station immediately. That was the lapse on the part of the other Police Sub-Inspector. For these two lapses disciplinary action was taken against them.

SRI P. RAMAMURTHI: From the statement made by the Hon. Minister it is clear that the crowd had collected there, not with the object of doing any injury to the police station, but their main demand was that Kannan should be taken to the hospital and medical attention should be given to him. That was the immediate demand according to the statement of the Hon. the Leader of the House.

THE HON. SRI C. SUBRAMANIAM: The hon. Member did not hear me properly. The crowd demanded that Kannan should not be taken out of the police station but that the Medical Officer should be brought to the police station and that was why the Sub-Inspector went to fetch the Medical Officer. But the Medical Officer stated that Kannan should be brought to the hospital and that he would not go to the police station. When the police wanted to take Kannan to the dispensary, then the crowd grew unruly and threw stones.

SRI P. RAMAMURTHI: In any case it is clear that the fury of the mob had been incited as a result of certain injuries committed on the person of Kannan. That was how the anger of the

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people has been roused. There is no use of the Government accusing the people. People cannot go and attack a police station. But the question here is one of dealing with the psychology of a large number of people and because the police authorities there had failed to deal with the psychology of the masses and had misbehaved, it has resulted in the death of two persons. Do the Government think that merely stopping the increment of the Police officers is a sufficient punishment?

THE HON. SRI C. SUBRAMANIAM: The Sub-Inspectors were not punished in respect of the firing which took place. As a matter of fact, after an enquiry, the Government have come to the conclusion that the firing was justified in the circumstances. The point for consideration is this. No doubt, the original intention of the mob might have been *bona fide* and lawful. It may be one of, just going there and finding out what has happened to Kannan and demanding something from the Police Sub-Inspector. But without stopping there, they have proceeded further. As a matter of fact, the crowd caused mischief by taking hold of the records there and even pelted stones. After all, the hon. Member is quite well aware how mob psychology works. Even though the mob may be quite law-abiding in the beginning, the mob psychology develops and if somebody starts the trouble, the entire mob takes it up. That is how the whole trouble arose. Once that situation had arisen, it was the duty of the police to see that the crowd was dispersed. In spite of a lathi-charge, they would not disperse but they came back and attacked the police station. Necessarily firing had to be resorted to and that is the finding of a Judicial enquiry into the matter.

SRI S. DAIVASIGAMONEY: The Hon. Minister stated that there was an enquiry by the Sub-Collector of a certain place. May I know whether he enquired of the people round about the place of disturbance or whether he enquired of only some of the departmental officials and made an haphazard enquiry? Is it not the paramount duty of the Government to see that the confidence of the public in the State Government is not shaken?

9-50
a.m.

THE HON. SRI C. SUBRAMANIAM: I am sure the Sub-Collector would have made a proper enquiry into the matter and there is no information with me to show that it was a haphazard enquiry. If the hon. Member has information that there was only a haphazard enquiry, he may make a representation. In the absence of any particulars to the contrary, I take it that there was a proper enquiry.

SRI C. KANDASAMY: இந்தச் சம்பவங்களின் காரணமாக எந்தக் குற்றத்திற்காக ஸ்ரீ கண்ணன் கைது செய்யப்பட்டாரோ, அந்தக் குற்றத்திற்காக தண்டிக்கப்பட்டிருக்கிறாரா?

THE HON. SRI C. SUBRAMANIAM: I am sorry I do not have information with reference to that.

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SRI V. GOPALA GOUNDER : The Hon. Minister said that the intention of the mob was to do mischief. Was any mischief done, was any property of the police station damaged and was the firing resorted to to defend property or in self-defence?

THE HON. SRI C. SUBRAMANIAM : All the records were thrown about and some records were torn. One of the persons caught hold of the Sub-Inspector and tore off the left sleeve of his shirt. Another person gave a blow to a police constable with a stick which caused a bleeding injury to him.

* 2909 Q.—**SRI M. NARAYANA KURUP :** Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government or the Superintendent of Police, Malabar, received complaints in February–March 1955 against the indifferent attitude of the Mannarghat Police in Walluvanad taluk, Malabar district, in dealing with the crimes committed by an organized gang headed by one K. D. Kunchunni in and around Pulappatta village; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM : (a) No complaints were received by the Government. A pseudonymous petition on the subject, purporting to be from the public of Mannarghat station limits was received by the District Superintendent of Police, Malabar district, on 17th February 1955.

(b) The petition was enquired into and suitable action taken by the District Superintendent of Police, Malabar district.

SRI M. NARAYANA KURUP : The K.D. whose name is given in the question and who was responsible for a series of crimes, was actually in the custody of the Head constable and the Head constable allowed him to escape. Have the Government any information on this point and, if not, will they make an enquiry?

THE HON. SRI C. SUBRAMANIAM : When the Head constable was questioned, he said that the person in his custody was not this particular K.D. but only his brother. On enquiry it was found that it was false and action was taken against him.

SRI K. KUNHI MOHAMED SHAFEE : May I know the nature of crimes said to have been committed by this person and the action taken against him?

THE HON. SRI C. SUBRAMANIAM : He is accused of dacoity and he is a proclaimed offender. He is still absconding.

Local Fund Hospital at Gingee

* 2910 Q.—**SRI A. GOVINDASAMY NAYAGAR :** Will the Hon. the Minister for Agriculture be pleased to state—

(a) whether it is a fact that an additional building is under construction for the Local Fund Hospital at Gingee in the South Arcot district under the Local Development Scheme; and

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(b) whether any public contribution for the work was received, and if so, how much?

THE HON. SRI M. BHAKTAVATSALAM : (a) The work relating to the construction of an emergency ward in the Local Fund Hospital at Gingee is under execution.

(b) A contribution of Rs. 2,500 (rupees two thousand and five hundred only) was received from the public.

SRI A. GOVINDASAMY NAYAGAR : பொதுமக்களிடமிருந்து எவ்வளவு பணம் வசூல் செய்யப்பட்டிருக்கிறது? யார் வசூல் செய்தார்கள்? அதில் எவ்வளவு பணம் சர்க்கார் கணக்கில் செலுத்தப்பட்டது?

THE HON. SRI M. BHAKTAVATSALAM : பொதுமக்களிடமிருந்து 2,500 ரூபாய் வசூல் செய்யப்பட்டிருக்கிறது.

Retrenchment in the Government Thermal station, Madurai

* 2911 Q.—**SRI N. K. PALANISAMY :** Will the Hon. the Minister for Public Works be pleased to state—

(a) whether it is a fact that 105 workers employed in the Government Thermal Station at Madurai were retrenched in the month of May 1955; and

(b) if so, the reasons therefor?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : (a) & (b) The attention of the hon. Member is invited to the short notice starred question by Sri K. P. Gopalan on the subject answered on the floor of the House on 27th August 1955.

SRI N. K. PALANISAMY : [கேவலில் சம்பந்தப்பட்டவர்கள் 37 பேர்கள் தான். ஆனால் 105 தொழிலாளர்கள் வேலையிலிருந்து நீக்கப்பட்டிருக்கிறார்கள். அவர்கள் எல்லோரும் மூன்று, நான்கு வருஷ சர்வீஸ் உடையவர்கள். ஆனால் அவர்களை வேலையிலிருந்து நீக்கிவிட்டு, ஆகஸ்டு மாதத்தில்கூட அனுபவம் எதுவும் இல்லாத முப்பது பேர்களை வேலைக்கு எடுத்திருப்பதாகத் தெரிகிறது. ஆகவே வேலை இருந்தால் இந்தக் கேவலில் சம்பந்தப்படாதவர்களுக்காவது உடனடியாகக் கொடுக்கும்படி என்ஜினியர் களுக்கு உத்தரவிடுவார்களா?]

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : வேலையிலிருந்து நீக்கியது அவர்கள் எல்லோரும் அந்தக் கேவலில் சம்பந்தப்பட்டவர்கள் என்ற காரணத்திற்காக அல்ல. அந்த ஸ்டேஷன் வேலை செய்ய வில்லையாதலால்தான் நீக்கப்பட்டார்கள். வேலை செய்ய ஆரம்பித்தவுடன் அவர்களையே எடுத்துக்கொள்ளப்போவதாகவும் என்ஜினியர் தெரிவித்திருக்கிறார்.

SRI K. V. RAMASWAMI : On a point of order, Sir. May I know what happens to my question No. 2912?

MR. SPEAKER : I have already said that the Minister for Religious Endowments and Transport is not present and that his questions will be taken up at the next meeting day.

(* 2912 Q.—Postponed.)

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District Board High School, Cherukunnu

* 2913 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state whether it is fact that there is no playground for the students in the District Board High School, Cherukunnu, North Malabar, and if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM : There is a playground available for students in the District Board High School, Cherukunnu, but it is inadequate. Proposals for the acquisition of land for use as playground are under consideration.

SRI T. C. NARAYANAN NAMBIAR : Not only is the playground inadequate, but also it cannot be used in all months of the year. Therefore will the Hon. Minister be pleased to take urgent steps to make a playground available to the school to enable it to encourage physical education among the students?

THE HON. SRI C. SUBRAMANIAM : In this case notification under section 4 (1) of the Land Acquisition Act was published in March 1954. After looking into the objections raised, it was found that there should be revised proposals to the extent of 5.2 acres. The Sub-Collector has addressed the President of the Malabar District Board for a resolution of the Board on the revised proposals. As soon as the resolution is received, necessary notification will be issued and further proceedings taken.

Damage to the turbine in Madurai Thermal station

* 2914 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Public Works be pleased to state with reference to the answer given to clause (c) of short notice question No. 7 on 20th August 1955 the result of the investigation?

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : The investigation is still in progress.

(* 2915 Q.—Postponed to 29th November 1955.)

Teachers working as Physical Training Instructors

* 2916 Q.—SRI T. ANANTA PAI : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the Government had passed orders granting special pay to Secondary Grade teachers working as Physical Training Instructors in the State and if so, when; and

(b) whether it is a fact that the South Kanara District Board has been directed to give effect to this order and if so, when?

THE HON. SRI C. SUBRAMANIAM : (a) Yes, Sir. Orders were issued in 1951.

(b) No, Sir. These orders are applicable to teachers under local bodies and private managements. No special directions were issued to the District Board, South Kanara, in this regard.

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Misappropriation of public funds

* 2917 Q—SRI C. KANDASAMY (on behalf of Sri A. K. Subbiah) : Will the Hon. the Minister for Local Administration be pleased to state—

(a) whether it is a fact that the bill-collectors of Thiruthurai-poondi Panchayat Board have misappropriated public funds;

(b) if so, how much; and

(c) the action taken against them.

THE HON. SRI S. S. RAMASAMY PADAYATCHI : (a) Yes, Sir.

(b) Rs. 4,619-6-6. Out of this a sum of Rs. 3,753-8-6 has been recovered.

(c) Action is being taken for the recovery of the balance of the amount and also for proceeding against the bill-collector criminally and departmentally for the misappropriation and also against the Panchayat Executive Officer responsible for allowing the misappropriation.

SRI K. VINAYAKAM : What is the amount of deposit that persons are asked to pay when they are entertained as bill-collectors?

THE HON. SRI S. S. RAMASAMY PADAYATCHI : I want notice.

MR. SPEAKER : Question time is over.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—ANNOUNCEMENTS BY THE HON. SPEAKER.

(1) MESSAGE FROM THE GOVERNOR.

MR. SPEAKER : I have to announce to the House the following message, dated the 25th November 1955, received from the Governor of Madras :—

“ In pursuance of article 207, clause (1) read with article 199 (1) (d) of the Constitution of India, I, Shri Sri Prakasa, Governor of Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Madras Appropriation (No. 4) Bill, 1955, and in pursuance of clause (3) of article 207, I also recommend to that Assembly the consideration of the said Bill.”

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a.m.

(2) MESSAGE FROM THE COUNCIL

MR. SPEAKER : I have also to announce to the House the following message, dated the 25th November 1955, received from the Hon. the Chairman, Madras Legislative Council :—

“ In accordance with rule 130 of the Madras Council Rules, I transmit a copy of the Madras Preservation of Private Forests (Amendment) Bill, 1955 (L.A. Bill No. 34 of 1955), as passed and agreed to by the Council on the 25th November 1955 without any amendment and signed by me.”

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III.—STATEMENT UNDER RULE 40 OF THE ASSEMBLY RULES *RE* ANXIETY OF THE PEOPLE OF VAIGAI-FED AREA ABOUT VAIGAI SCHEME.

MR. SPEAKER : The hon. Member Sri G. Govindan has given notice of a motion under rule 40, calling the attention of the Minister for Public Works to a matter of urgent public importance, viz., anxiety about the Vaigai Scheme affecting the Vaigai-fed area of the Ramanathapuram district. I may at once say that I have considerable hesitation in admitting this motion. This merely speaks about a vague fear in the minds of the people which is really a mental condition. Anyhow, I would request the hon. Member Sri Govindan to say what he has to say and the Hon. Minister to make a statement, if necessary.

* SRI G. GOVINDAN : கனம் சபாநாயகர் அவர்களே, வைகை யாற்று திட்டப் பிரச்சினை ஆரம்பித்த உடனேயே, பல்முறை நாங்கள் அத் திட்டத்தை எதிர்த்து வந்திருக்கிறோம். காரணம், அத்திட்டம் ராமனாதபுரம் ஜில்லாவுக்கு இடைஞ்சலாக இருப்பதுதான். ராமனாதபுரம் ஜில்லா மக்கள் இத்திட்டம் நிறைவேறினால் எப்படி பாதிக்கப்படும் என்பதை விரிவாக எடுத்துச் சொல்லியிருக்கிறோம். ஆனால் கனம் மந்திரியார் அவர்கள் கிஞ்சிற் றேனும் எங்கள் குறையைப்பற்றி கவனித்ததாகத் தெரியவில்லை. அவர் கிழக்கு ராமனாதபுரம் area-வுக்கு நன்மை செய்யவேண்டுமென்று இருப்ப தாகத் தெரியவில்லை. வைகை நீர்பாசனம் இருந்த காலத்தில், பல ஆண்டு களுக்கு முன்னால் மருதபாண்டியன் என்ற ஒரு பிரமுகர் கப்பலில் வெளி தேசத்திலிருந்து அரிசி முதலிய சாமான்களைக் கொண்டுவந்து சிவகங்கா, ராமனாதபுரம் ஜமீன் மக்களுக்குக் கொடுத்து உதவினார் என்று சொல்லப் படுகிறது. இன்றைய நிலைமை வைகை தண்ணீரை எங்கள் பக்கத்திற்கு கொடுக்க மறுக்கிறார்கள்.

THE HON. SRI R. SHANMUGA RAJESWARA SETHU-
PATHI : The hon. Member may please be brief, Sir. He is
delivering a lecture.

MR. SPEAKER : எப்படி ஜனங்களுக்கு அது இடைஞ்சல் என்று சொன்னால் நன்றாக இருக்கும்.

* SRI G. GOVINDAN : வைகை திட்டமாக பல சமயங்களில் பல நண்பர்கள் கனம் மந்திரியார் அவர்களுக்கு தெரிவித்திருந்த போதிலும் இன்றும் இங்கு அதைச் சொல்ல விரும்புகிறேன். வைகையாற்று தண்ணீர் தான் கிழக்கு ராமனாதபுரம் பகுதிக்கு உதவுகிறது. அதனால் இத்திட்டத் தால் எப்படி அந்த பகுதி மக்கள் பாதிக்கப்படுவார்கள் என்பதைப்பற்றி விளக்கிக் கூறலாமென்று நினைக்கிறேன். எங்கள் பகுதிக்கு உதவியாக இருக்கும் நீர்பாசன வசதிகளை இன்னொரு ஜில்லாவுக்கு கொண்டுபோக வேண்டுமென்று நினைத்து, இந்த திட்டத்தை கனம் மந்திரியார் அவர்கள் செய்திருந்தால் அது மிக வருந்தக்கூடியதாகும். எங்கள் கிழக்கு ராமனாத புரம் ஜில்லாவுக்கு வைகையாற்று தண்ணீர் அவசியம் தேவை என்று ஏற்கனவே சொல்லியிருக்கிறோம். அந்தப் பகுதி மக்கள் எந்தவிதமான தண்ணீரால் நன்மையும் பெறாமல் கஷ்டப்படுகிறார்கள். ராமனாதபுரம் ஜில்லாவில் இரண்டு ஜமீன்கள் இருந்தன. அங்குதான் களவு, திருட்டுகள் அதிகமாக நடக்கின்றன. அங்கு எந்தவிதமான நீர்பாசன வசதியும் இல்லாததால் விவசாயிகள் தங்கள் நிலங்களை சாகுபடி செய்ய தண்ணீர்

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இல்லாமல் கஷ்டப்படுகிறார்கள். இவ் விவசாயத் தொழில் தண்ணீரில்லாமல் நடைபெறுததால் அங்கு மக்கள் திருட்டுத் தொழிலில் ஈடுபட நேரிடுகிறது. ஆகவே அங்கு தண்ணீர் வசதி மறுக்கப்பட்டால் திருட்டுத் தொழில் அதிகமாகும் என்று சொல்லிக்கொண்டு முடித்துக்கொள்ளுகிறேன்.

* THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI : The Vaigai Reservoir Project was formulated by technical experts after taking account of all the relevant factors including the quantities of Vaigai flows legitimately due to the Vaigai-fed area of the Ramanathapuram district. The scheme was sanctioned after careful scrutiny by the Government, who directed, in the order sanctioning the project, that the scheme would be so worked that the portion of the Vaigai flows impounded to the reservoir is used exclusively to boost, when necessary, supplies in the Vaigai channels in the Ramanathapuram district and stabilize irrigation under the old Vaigai channels and the tanks served by them in that district. When issuing orders sanctioning the project, the Government issued a Press Note (dated 26th November 1954) wherein they stated *inter alia* that the scheme would be so worked that no portion of the Vaigai flows impounded in the reservoir would be allowed for areas other than these under the old Vaigai channels and tanks served by them.

After the publication of the Press Note of 26th November 1954, criticisms of the project were made in letters to the Press on behalf of the ryots of the old Vaigai ayacut in the Ramanathapuram district, reiterating their old apprehension that the new project would affect the old Vaigai ayacut adversely, attempting to indicate by mentioning some technical points that the scheme had not been properly worked out and suggesting that the Government should clarify the position if the statements made in the letters had no real validity. Thereupon the Government issued another Press Note on 15th December 1954 meeting all the points raised in the criticisms. Even after that, representations were made again seeking further clarification and information regarding the details of the arrangements to ensure the maintenance of existing supplies to the old Vaigai ayacut, etc. The Government issued another Press Note on 8th February 1955 answering these fresh representations and questions and explaining in detail the arrangements proposed to be made to ensure supplies due to the old Vaigai ayacut.

While the criticisms which gave rise to the Press Note of 15th December 1954 and 8th February 1955 mentioned specific objections, no specific objection is pointed out by the hon. Member who has moved the present motion. I would, therefore, request the hon. Member to go through the three Press Notes already issued on the subject, find out whether there is any point or difficulty left unclarified and if so, to indicate the same to the Government and I assure him that on receipt of such a representation of a specific difficulty, the matter will be gone into thoroughly and the difficulty removed.

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IV.—GOVERNMENT BILL.

THE MADRAS APPROPRIATION (NO. 4) BILL, 1955.

* THE HON. SRI C. SUBRAMANIAM : Sir, I beg to introduce the Madras Appropriation (No. 4) Bill ^a, 1955 and move—

“ That the Bill be taken into consideration at once.”

Yesterday the various Demands were discussed and voted upon. This is only a procedural matter and in accordance with the procedure, I am moving this Bill. If any points are raised during general discussion, I shall attempt to answer them.

MR. SPEAKER : Motion moved—

“ That the Madras Appropriation (No. 4) Bill, 1955, be taken into consideration at once.”

SRI K. KUNHI MOHAMED SHAFEE : Sir, while speaking on this Bill, I would like to invite the attention of the Government to one or two minor matters. One is about the scheme of colonization and development of the Andaman and Nicobar Islands. An amount of Rs. 2,500 has been allotted in the Supplemental Budget for the purpose. I request the Government to give the widest publicity possible to the matter of colonization of the Andaman and Nicobar Islands. Formerly, a large number of people used to go to the Andaman and Nicobar Islands just to live there and get some employment. Specially it was used as a place for the residence of criminals.

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But, a considerable number of people from Malabar have gone and settled down there and found employment in those islands. Therefore, I would request the Government to give wide publicity about the colonization scheme prevailing there.

The second matter to which I wish to invite the attention of the Government is about the working of the Wakfs Act. An advance of about Rs. 50,000 has been allotted in the Supplementary Budget for meeting the cost of special staff employed for making a survey of wakf properties in this State. It is an Act of the Central Government which is being worked by the State Government. I submit, Sir, that the work of investigating, just ascertaining the assets of the wakfs itself has taken a long number of months. As far as Malabar district is concerned, the officers appointed for the purpose have even now not been able to ascertain the assets of a large number of wakfs. At this rate, the investigation may take a longer period than is necessary. Therefore, I would request the Government to issue necessary instructions to expediate the enquiries by the Wakfs Commissioner of the State Government. With these few words, I support the motion.

* SRI R. KRISHNAN : “ മിസ്റ്റർ സ്പീക്കർ, സർ, ഈ ബില്ലിൽ ഉൾപ്പെട്ടിട്ടുള്ള സപ്ലിമെന്ററി ഡിമാൻറുകളുടെ കൂട്ടത്തിൽ ചില പോലീസ് വകുപ്പ് ഉൾപ്പെടുന്നില്ലെങ്കിലും പാലക്കാട് പോലീസ് ഉദ്യോഗസ്ഥന്മാർ ചെയ്യുകൊണ്ടിരിക്കുന്ന അഴിമതികളെപ്പറ്റി രണ്ടു വാക്കു പറയാൻ ഞാൻ ഈ സന്ദർഭം ഉപയോഗപ്പെടുത്തുകയാണ്. പാലക്കാട് എ. എസ്. പി. ചില സ്ഥാപിതതാല്പര്യക്കാര്യവേണ്ടി അന്വേഷിക്കുകയും

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MR. SPEAKER : The hon. Member should confine himself to the subject under discussion.

(The hon. Member Sri Krishnan then sat down.)

MR. SPEAKER : The question is—

“That the Madras Appropriation (No. 4) Bill, 1955, be taken into consideration at once.”

The motion was put and carried and the Bill was considered.

Clause 2, the Schedule, Clause 1 and the Preamble were put and carried.

THE HON. SRI C. SUBRAMANIAM : Sir, I move—

“That the Madras Appropriation (No. 4) Bill, 1955, be passed.”

SRI T. C. NARAYANAN NAMBIAR : I am glad, Sir, that in the Appropriation Bill and also in the Supplementary Budget, the Government have not had any opportunity to ask for supplementary grant with regard to the Police. I am glad about that, Sir. But, if things that are happening to-day are allowed to continue, I am afraid that we may not be in a position to stop with the Bill that we pass now. For example, in Palghat, where the agricultural labourers wanted to implement the terms agreed to in the presence of the Magistrate, a certain landlord there violated the terms of the agreement and at the instance of the landlord, the Assistant Superintendent of Police, Palghat, has invoked the Police Act in a particular area, that is, in Kollengode. There, it is known that indiscriminate lathi charges and repression have been resorted to by the Police. That is why, I submit, if we want to see that we confine to the Bill that is before the House, such undesirable happenings have to be avoided and proper action should be taken against those who violate the Act and the rules and take the law into their own hands.

* THE HON. SRI C. SUBRAMANIAM : Sir, of course, a great attempt was made by the hon. Member to make these observations relevant. The hon. Member mentioned that he was glad that no supplementary grant was required in respect of the Police. I may tell him that that is mainly due to the attitude of the Communist Party and due to their good behaviour. If they continue this good behaviour, there will be no necessity to ask for supplementary grant. On the other hand we will be able to save some thing out of the present allotment. Therefore, I would appeal to the hon. Member to see that there is no necessity to ask for a supplementary grant and also to see that there is some saving in the Police grant.

MR. SPEAKER : The question is—

“That the Madras Appropriation (No. 4) Bill, 1955, be passed.”

The motion was put and carried and the Bill was passed.

[26th November 1955]

V.—NON-OFFICIAL BUSINESS.

A. Bills.

(1) THE MALABAR TENANCY (SECOND AMENDMENT) BILL, 1954
(L.A. BILL NO. 41 OF 1954).

* SRI M. NARAYANA KURUP : Mr. Speaker, Sir, I move—

“ That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members from the Assembly and 8 Members from the Council) to consider the Malabar Tenancy (Second Amendment) Bill, 1954 (L.A. Bill No. 41 of 1954), and that the following Members of this House be selected to serve on such a Joint Select Committee.”

(List of names to be furnished later.)

Sir, I wish to apologize for presenting this motion on the eve of the important constitutional changes and redistribution of States. However, the matter is so urgent that it cannot wait for one or two years to take its final shape till we decide on the future constitution of our State. The matter is also very simple, Sir. The House is aware that some important changes were made in the Malabar Tenancy Act in 1954 concerning fixation of fair rent and fixity of tenure. Of course, those are the two important items in any scheme of tenancy legislation. From time to time when various committees considered this question and experts submitted their reports, two things were made quite clear. One is that no cultivating tenant of whichever nomenclature, should be allowed to pay more than what is the fair rent and the other is that there must be a certain sort of fixity with regard to the tenure. Sir, this 1954 legislation itself was preceded by the Kuttikrishna Menon Committee Report which was scrutinized further by the expert Sri Raghavendra Rao. The Government considered that question and arrived at certain conclusions on which basis the 1954 Act was framed. I will read that portion of the Government's conclusion, Sir—

“ All cultivating verumpattamdars, cultivating kuzhikanamdars, cultivating kanamdars, cultivating customary verumpattamdars and also all separate kudiyruppu tenants on lands cultivated with pepper as the principal crop will be liable to pay fair rent or contract rent whichever is less.”

10-20 a.m. Sir, I am not here concerned with the latter portion, that is the liability to pay whichever rent which has been prescribed in the Act of 1954. The only purpose of this Act or my amending Bill is to bring the cultivating kanamdar and the cultivating customary verumpattamdar to the position mentioned by or decided upon by the Government after considering the whole report. The present Act fixes the fair rent and allows the tenant to apply for it. The operative portion of Section 28 of the Malabar Tenancy (Amendment) Act, 1954 (Madras Act VII of 1954), begins thus—

“ Every cultivating tenant of a holding other than a kanamdar or customary verumpattamdar.”

26th November 1955] [Sri M. Narayana Kurup]

This Bill seeks to give the right of option to the customary verumpattamdar and kanamdar also to apply for fixation of fair rent. As it is, the courts have held that since Section 28 excludes kanamdar and customary verumpattamdar from its operation, they cannot apply for fixation of fair rent. It has been a recognized fact that generally the rent or the produce payable by the customary verumpattamdar and kanamdar to their landlords has been favourable. But, there are also a large number of cases wherein their dues go much higher than the fair rent that would be fixed under the Act. Therefore, my purpose is not to make it obligatory to pay fair rent but to give them the option to apply to the court for fixation of fair rent and then pay fair rent or to pay the contract rent. That is a very just demand which should not be ignored, because I am sure, the intention of the Government is to give this benefit to all tenants as a class and it should not prejudice the interests of the same class. Therefore, it is to remove an omission or an inadvertence that is implied in the Act of 1954 that I have brought this legislation. It is a very simple Bill and there would have been no necessity to refer it to a Select Committee but I thought that it would be better to do so because it relates to Malabar Tenancy about which I am told this House is not very much familiar. Therefore, it is only out of abundant caution that I move that this Bill be referred to a Select Committee. As it is almost a universal demand from the tenants of Malabar, I am sure, the Government will help us in getting this legislation passed without waiting for the reorganization of our State to take place.

* SRI R. KRISHNAN : മിസ്റ്റർ സ്പീക്കർ, സർ, ഞാൻ ഈ ബില്ലിനെ പിന്തുടരുന്നു. ഈ ബില്ലിന്റെ ഉദ്ദേശ്യമെന്തെന്ന് ബില്ലിന്റെ അവതാരകൻ ചുരുക്കമായി വിവരിച്ചിട്ടുണ്ട്. മലബാറിൽ കോഴിക്കോട്ടും മറ്റു ചില വടക്കൻ താലൂക്കുകളിലും മെല്ലാം കാണാൻ വന്നു അറിയപ്പെടുന്നവർ യഥാർത്ഥത്തിൽ മലബാർ കടിയായ നിയമത്തിന്റെ ആനുകൂല്യം ലഭിക്കാൻ അർഹതയുള്ള കടിയന്മാരാണ്. പക്ഷെ അവർക്ക് ആ ആനുകൂല്യങ്ങൾ ഇന്ന് നിയമസഭയിൽ ഉൾപ്പെട്ടിരിക്കുന്നു. കാരണം കടിയായ നിയമത്തെ ബലഹീനമാക്കുവാൻ വേണ്ടി ജന്മിമാർ ഇവരിൽനിന്നും മുൻകൂട്ടി നാലനെയും എട്ടനെയും ഒരു ഉറപ്പിയുടെമേലും കാണും കാണിച്ചു കാണാൻ വേണ്ടി എഴുതിയിരിക്കുന്നു. കസ്തൂരി വെറും പാട്ടുകടിയന്മാർ എന്നു അറിയപ്പെടുന്നവരുടെ നിലയും ഇതുതന്നെയാണ്. ഇവരെല്ലാം യഥാർത്ഥ കടിയന്മാരാണെങ്കിലും കടിയായനിയമം ബാധകമാവാതിരിക്കാൻ വേണ്ടി ജന്മിമാർ കൃത്യമെത്തി ഇത്തരം രേഖകൾ ചെയ്തിട്ടുതാണ്. അവർ പാട്ടുകോടതിയിൽ പോയാൽ മലബാർ കടിയായ നിയമത്തിലെ വ്യവസ്ഥകളനുസരിച്ചു അവർ കടിയന്മാരാൽ ഏകദേശം സാങ്കേതിക തടസ്സം ഉണ്ടായിട്ടു അവരുടെ ഹിരദികൾ തളിക്കുമ്പോഴാണ് ചെയ്യുവതുന്നത്. മറ്റൊരപ്പാട്ടം നിയമിച്ചു കിട്ടുകയെന്ന ഏറ്റവും പരിമിതമായ ആനുകൂല്യംപോലും ലഭിക്കുന്നതിനു താല്പം കാണാൻ വേണ്ടി കസ്തൂരി വെറും പാട്ടുകടിയന്മാരും അർഹതയില്ലാത്തവരാണ് ഒരു നിലയാണ് ഇന്നുള്ളത്. അതു മലബാർ കടിയായ നിയമത്തിന്റെ ഉദ്ദേശ്യങ്ങൾക്കുതന്നെ എതിരായിട്ടുള്ള ഒരു കാര്യമാണ്.

സർ, ഈ സന്ദർഭത്തിൽ മറ്റു ചില നല്ല ഭേദഗതികൾക്കൂടി ഈ ബില്ലിൽ ഉൾപ്പെടുത്താൻ സാദ്ധ്യമല്ല എന്നു പരിശോധിക്കേണ്ടതായിട്ടുണ്ട്. നിലവിലുള്ള നിയമമനുസരിച്ചു നാലോ അഞ്ചോ കൊല്ലത്തെ പാട്ടുബാക്കി ഇടാക്കാൻ ഉള്ള അവകാശം ജന്മിക്കുണ്ട്. അത് കടിയന്മാർക്ക് വളരെ ബുദ്ധിമുട്ടിനും ഭൂമി നഷ്ടപ്പെടാനുമാകുന്നു. ഇടയാക്കുന്ന ഭരണകാലം. ഇതു ഭേദപ്പെടുത്തി ഒരു കൊല്ലത്തെ പാട്ടുബാക്കിയടച്ചാൽ എല്ലാം കടിയ്ക്കുകയും തീർന്നതായി കണക്കാക്കണമെന്നു അന്നേ തുടങ്ങിയ ആവശ്യപ്പെട്ടിരുന്നു. പക്ഷെ അന്നു ഗവണ്മെന്റ് അതു സ്വീകരിച്ചില്ല. അങ്ങനെയൊരു ഭേദഗതിയുടെ ഇല്ലാത്ത ഈ ബില്ലിൽ ഉൾപ്പെടുത്തുന്നത് നന്നായിരിക്കും. അക്കാര്യം സെലക്ട്

10-24
a.m.

[Sri R. Krishnan] [26th November 1955]

കമ്മിറ്റിയുടെ പരിഗണനയ്ക്കു വിഷയമാകേണ്ടതാണ്. മറ്റൊരു ഭേദഗതി മത്യാദ പ്ലാട്ടം നിജപ്പെടുത്തിക്കിട്ടുന്നതിനുള്ള കോടതി നടപടിയെ സംബന്ധിച്ചാണ്. ഇന്നു മത്യാദപ്ലാട്ടം നിജപ്പെടുത്തിക്കിട്ടുന്നതിനു പാട്ടുകോടതിയിൽ ഒരു ഹരജി കൊടുത്താൽ നീക്കിയിട്ടുന്നതിനു പലപ്പോഴും എട്ടും പത്തും പന്ത്രണ്ടും മാസമാകുന്നുണ്ട്. കടിയായ് വലപ്പോഴും താങ്ങാനാവാത്ത കോടതിച്ചെലവും വഹിക്കേണ്ടിവരുന്നു. അതുകൊണ്ടു ഇന്നത്തെ സത്യമായും മാറി ചുരുങ്ങിയ സമയത്തിനുള്ളിൽ തവയ്ക്കേൻറു ചെലവിൽ തന്നെ സാധ്യമായ കടിയന്മാർക്ക് മത്യാദപ്ലാട്ടം നിശ്ചയിച്ചുകിട്ടുന്നതിനുള്ള കരേപ്പാട്ടു ഞാക്കേണ്ടതു വളരെ അത്യാവശ്യമായിരിക്കുന്നു. അതിനുള്ള ഒരു ഭേദഗതിയുകൂടി ഈ ബില്ലിൽ ഉൾപ്പെടുത്തേണ്ടതായിട്ടുണ്ട്. ഈ രണ്ടു കാര്യങ്ങളുകൂടി സെലക്ട് കമ്മിറ്റി യുടെ ശുപാർശ പരിശോധനയ്ക്കും വിഷയമാകണമെന്നു അഭ്യർത്ഥിച്ചുകൊണ്ടു ഞാൻ ഈ ബില്ലിനെ പിൻതാങ്ങുന്നു.

SRI P. KUNHIRAMA KIDAV : “ മിസ്റ്റർ സ്പീക്കർ, സർ, ബഹുമാനപ്പെട്ട മെമ്പർ ശ്രീ നാരായണക്കുറുപ്പ് അവതരിപ്പിച്ചിരിക്കുന്ന ഈ ബില്ലിനെ പിന്താങ്ങുന്ന തോടൊപ്പം ചില സ.ഗതികൾ സഭമുമ്പാകെ വയ്ക്കുവാൻ ഞാൻ ആഗ്രഹിക്കുന്നു. മല ബാർ കടിയായു ഭേദഗതി നിയമപ്രകാരം പാട്ടുകോടതികൾ ഉണ്ടാക്കിയിട്ടും കാണാൻ കൾക്കു അതുമൂലം യാതൊരു ഗുണവും സിദ്ധിക്കുന്നിടയിട്ടില്ലാത്ത ഒരു താല്പരകിന്റെ പ്രതിനിധിയാണ് ഞാൻ. കാരണകടിയന്മാർക്കും വെറുപാട്ടുകടിയന്മാർക്കും മത്യാദ പ്ലാട്ടം നിശ്ചയിച്ചുകിട്ടുവാൻ അവകാശമുണ്ടെന്ന വ്യക്തമായ ഒരു ഭേദഗതി വരാത്തതിനോടും കാലം കർശനമായി താല്പരകിളെ കടിയന്മാർക്ക് മലബാർ കടിയായു നിയമം കൊണ്ടു യാതൊരു പ്രയോജനവുമുണ്ടാകുന്നതല്ലെന്ന തെളിവു കഴിഞ്ഞിട്ടുണ്ട്. പാട്ടു ബാക്കിക്ക് വ്യവഹാരസല കുറയ്ക്കുവാൻ രംഗപ്പെടണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി ജനുവരി മാർ 8 അന്നയും ഒരുറപ്പികയുമെല്ലാം കാനം ചാത്തിക്കൊണ്ടാണ് കൃഷിക്കാർക്കു ഭൂമി കൊടുത്തിട്ടുള്ളതു്. കുറയ്ക്കുവാൻ താല്പരകിളെ ബഹു ഭൂരിപക്ഷം കടിയന്മാരും കാണച്ചാത്തു കാരണം. പാട്ടുകോടതികളിൽനിന്നും അധികം നിതി ലഭിക്കുന്നില്ല. സാങ്കേതിക തടസ്സം ഉന്നയിച്ചു അപരകു ഹരജികളെല്ലാം തള്ളിക്കളഞ്ഞിരിക്കുകയാണ്. തന്നിമിത്തം മലബാർ കടിയായു നിയമംമൂലം കടിയന്മാർക്ക് കിട്ടേണ്ടതുമുദ്രിപ്പിട്ടുള്ള പരിമിതമായ ആനുകൂല്യങ്ങൾവേലും ഇന്നു കടിയന്മാർക്ക് അഭേദവികാൻ സാധിക്കാതെ വന്നിരിക്കുന്നു. അതിനു ഒരു പരിഹാരം കാണുകയാണ് ഈ ബില്ലിന്റെ ഉദ്ദേശം. അതു കൊണ്ടു ഈ ബില്ല് തവയ്ക്കേൻറ സുചികരിക്കണമെന്നും അടിയന്തിരമായി പാസ്സാക്കണമെന്നും ഞാൻ അഭ്യർത്ഥിക്കുന്നു. മറ്റു ചില കാര്യങ്ങളെല്ലാം പറഞ്ഞു മലബാറിന്റെ കാര്യങ്ങൾ മാറാവുന്ന ഒരു നയമാണ് തവയ്ക്കേൻറ കറച്ചുകാലമായി കൊണ്ടു വരുന്നതു്. ഈ ബില്ലിനെ സംബന്ധിച്ചിടത്തോളം അങ്ങനെയൊരു നിലപാടു് കൈക്കൊള്ളരുതെന്ന പ്രത്യേകം അഭ്യർത്ഥിച്ചുകൊണ്ടു ഞാൻ എന്റെ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

10-30 a.m. * **SRI T. C. NARAYANAN NAMBIAR :** Mr. Speaker, Sir, the matter before us is very important as far as the district of Malabar is concerned. I do not know whether the Hon. Minister for Revenue will say that since the formation of Kerala State is impending it may not be necessary to take up the consideration of this Bill now. I wish he may not say so. The Bill is intended to rectify a defect noticed in the Malabar Tenancy Act, 1929 as amended by Act VII of 1954. I submit, Sir, that I do not say at the time the original Act was amended, kanamdars and customary verumpattamdars were consciously excluded from the purview of fair rent provision. But the defect was noticed in the working of this provision, as has been pointed out by hon. Member Sri M. Narayana Kurup. The Rent Court Tahsildars say that petitions for fixation of fair rent by kanamdars and customary verumpattamdars cannot be entertained in view of Section 28 of the Act. Hon. Member Sri Kunhirama Kidav has also made it clear that it is a custom in Malabar, particularly in North Malabar that merely for the payment of four annas and eight annas tenants may be called kanamdars.

[Sri T. C. Narayanan Nambiar.]

The crucial point in the Malabar Tenancy Act is the fixation of fair rent for tenants and it would be quite unjust if a section of tenants is not entitled to fixation of fair rents. This is a non-controversial measure and is intended only to remove certain technical defects. This will, at the same time, go a long way in giving relief to a large number of tenants. I hope the Hon. Minister will accept the contention of the mover and allow it to be passed into law without any delay. As this is a matter affecting land, the mover of the Bill has agreed to referring the Bill to a Select Committee. I request the Hon. Minister to accept the motion.

* THE HON. SRI M. A. MANICKAVELU : Mr. Speaker, Sir, I am sorry I have to oppose this motion. The hon. the Mover of the Bill has two objects in view in moving the Bill. One is that tenants will have no proper defence because certain Sections of the Act had been impugned. But that was so as per the High Court's judgment delivered sometime ago. But the latest judgment of the High Court has set the matter right. As no Section of the Act has been impugned, there is no necessity to introduce an amending legislation for this purpose.

The hon. Mover of the Bill considers that under the provisions of the existing Act the kanamdars and verumpattamdars are outside the purview of the fair rent provision and therefore wants to introduce a new provision for that purpose—Clause 27-A. Even in this case, I submit, that the amendment suggested is not necessary. Even under the existing provisions, kanamdars and verumpattamdars can apply for fixation of fair rent. Section 31 of the Malabar Tenancy Act says—

“Notwithstanding any contract to the contrary, express or implied, whether entered into before or after the coming into force of this Act, a tenant who pays fair rent shall not be liable to pay to his landlord anything more or anything less than such rent or to render any personal service to such landlord.”

In this section the word used is ‘tenant’. If this section is read with Section 3, Sub-section 27 it would show that it would include kanamdars and verumpattamdars.

* SRI M. NARAYANA KURUP : We want to make clear that section. It says that “a tenant who is liable to pay fair rent.” Actually tenants—kanamdars and verumpattamdars are denied fixation of fair rent. It is this difficulty that my amending Bill wants to remove.

* THE HON. SRI M. A. MANICKAVELU : My submission is that kanamdars and verumpattamdars would get the benefit of Section 31. Therefore kanamdars and verumpattamdars can all apply for fixation of fair rent if it is advantageous to them and if there is any dispute as to the amount of fair rent payable they can apply for the determination of fair rent under Section 16 of the Act to Rent Courts. The amendment proposed by the Member is not necessary and I am so advised, Sir.

[26th November 1955]

* SRI M. NARAYANA KURUP: I have no objection if the Government are so minded for opposing the Bill, but let it be on proper grounds. The very section quoted by the Hon. Minister says, "persons who are liable to pay fair rent". The Hon. Minister was saying that kanamdars and verumpattamdars could apply. But, there had been not only hundreds of cases but thousands of cases for fixation of fair rent which had been rejected on the ground that they were made by kanamdars and verumpattamdars. It is not an imaginary ground that we are putting forth. It is as a result of bitter experience that this Bill has been brought forward. Not only the Rent Courts but also the Civil Courts have held that Section 27 which states 'Every cultivating tenant of a holding other than a kanamdar or customary verumpattamdar' implied that they are not entitled to the benefit of fixation of fair rent provisions, and that they must pay the contract rent, though it may be higher than the fair rent. Therefore, Sir, we are not putting our interpretation of the law. The Bill has been brought forward to remove the difficulty caused by the interpretation of the section by judicial courts, not in one case or two cases but in hundreds of cases. (Interruption from the Hon. Minister for Revenue.) The Hon. Minister asks whether the High Court has given a decision. Only so far, Rent Courts and Sub-Courts have given decisions. Perhaps if the High Court has given a decision, the Hon. Minister may ask whether the Supreme Court has given a decision. There has been no difference of opinion between the Courts and they have more or less taken it as a foregone conclusion and a right interpretation. That is why I have come before this House with this Bill to see that these classes of tenants also are given protection which was the real intention of the Government when the original Act was made. I would still request the Hon. Minister to withdraw his objection.

With regard to Clause 3 of the Bill, I have no objection to omit it from the Bill as the Hon. Minister says that the High Court has revised its original decision. I am, therefore, willing to confine myself to Clause 4 of the Bill which is intended to give protection to kanamdars and verumpattamdars also. The ground on which the Bill is opposed is not correct and is not advanced on a proper appreciation of the facts of the case and on the interpretations put by the various courts. Therefore I would still stress my viewpoint and press for the acceptance of the motion by the House.

10-40
a.m.

SRI T. C. NARAYANAN NAMBIAR: On a point of information, Sir. I wish to bring to the notice of this House that different Courts give different interpretations. One Court in Tellicherry, North Malabar, has held that the customary verumpattamdar and the kanamdar have got the right to apply to the Rent Court for determination of fair rent and accordingly a decree has been given. When there is a lot of confusion between the Courts with regard to this Act, is it not the duty of the Government to make the position clear and explicit and see that a clarification is made in the Act itself? I therefore submit that there is nothing wrong in accepting this Bill.

26th November 1955]

* THE HON. SRI M. A. MANICKAVELU : Sir, it is not the doctors alone that differ. Lawyers also differ. The hon. Member has put it in one way. I have been advised by the Legal Department in another way. Now, the hon. Member Sri T. C. Narayanan Nambiar has stated that certain Courts have adopted the interpretation that I have given. Therefore, there is difference of opinion in the matter. That is why I asked the hon. Member whether the highest Court had given a decision in respect of this matter and he said 'No'. There is difference of opinion and therefore I cannot accept the Bill as it is. I will, however, assure the hon. Member that I will examine the matter further.

Mr. SPEAKER : The question is—

“That the concurrence of the Legislative Council be obtained in setting up a Joint Select Committee of both the Houses consisting of 24 Members (16 Members from the Assembly and 8 Members from the Council) to consider the Malabar Tenancy (Second Amendment) Bill, 1954 (L.A. Bill No. 41 of 1954), and that the following Members of this House be selected to serve on such a Joint Select Committee.”

The motion was put and lost.

(2) THE MALABAR STHANAMS BILL, 1955 (L.A. BILL NO. 26 OF 1955)

SRI K. C. GOPALAN UNNI : Mr. Speaker, Sir, having been authorised under Rule 93 of the Assembly Rules by Sri V. R. Krishna Ayyar to carry the Malabar Sthanams Bill, 1955, through its further stages, I move—

“That the Malabar Sthanams Bill, 1955 (L.A. Bill No. 26 of 1955) be taken into consideration.”

മിസ്റ്റർ സ്പീക്കർ, സർ, ഏറ്റവും പ്രധാനപ്പെട്ട ഒരു ബില്ലാണിത്. ഒരു പക്ഷെ അടുത്തു കേരളസംസ്ഥാനം വരുന്നതോടെ, അതിനോടുകൂടി മലബാറിന്റെ കാര്യങ്ങളിലും കേരളം ഗവണ്മെന്റ് ആലോചിച്ചുകൊള്ളും എന്ന് പല കാര്യങ്ങളെപ്പറ്റിയും ഇപ്പോൾ ഗവണ്മെന്റ് പറഞ്ഞുവരുന്നതുപോലെ ഈ ബില്ലിനെപ്പറ്റിയും പറഞ്ഞുകൊള്ളാം. ഈ ബില്ലിനെ സംബന്ധിച്ചിടത്തോളം അത്തരം ഒരു നിലപാട് സ്വീകരിക്കേണ്ടതാണ്. ഞാൻ ബഹുമാനപ്പെട്ട മന്ത്രിമാരോടു പ്രത്യേകം അപേക്ഷിക്കുന്നു. മലബാറിന്റെ സാമൂഹ്യസ്ഥിതിയിൽ അത്ര വിപ്ലവകരമായിട്ടുള്ള മാറ്റങ്ങളൊന്നും വരുത്താൻ ഒരു നിയമമല്ല ഇത്. ഒരു ദുരോഗ്യ ദുരനിയമവേതം കൊല്ലങ്ങൾക്കു മുമ്പ് തുടങ്ങിയെല്ലാ കേരളപ്പാടാണ് ഈ സ്ഥാനങ്ങൾ. ബ്രിട്ടീഷ് സാമ്രാജ്യത്വം അതിന്റെ നിലനില്പിനോടും ഈ രാജ്യത്തു പലതും ഏല്പിട്ടുണ്ടായ കൂട്ടത്തിൽ മലബാറിലെ സ്ഥാനങ്ങളും ഏല്പിട്ടുണ്ട്. പത്തൊമ്പതാം നൂറ്റാണ്ടിലായിരുന്ന രാജാക്കന്മാരിൽനിന്ന് നാടൊന്നും പിടിച്ചെടുത്തതിനോടുകൂടി അവരുടെ കുടുംബ നാമം ഭരിക്കാൻ കാരണവന്മാരെ ഏല്പിട്ടതുകയും അത് ഇപ്പോഴും റിനിയോസിച്ച് കൊള്ളാത്ത സ്വാതന്ത്ര്യം നൽകുകയും ചെയ്തു. അങ്ങനെയുള്ള ഒരു സ്ഥാനികുടുംബത്തിൽനിന്നും വരുന്ന ആളാണ് ഞാൻ. അതുകൊണ്ട് ഈ ബില്ല് അവതരിപ്പിക്കാൻ പ്രത്യേക അവകാശം എനിക്കുണ്ടെന്ന് ഞാൻ കരുതുന്നു. ആരോ ഏഴോ കുടുംബങ്ങളെ മാത്രം ബാധിക്കുന്ന ഒരു ബില്ലാണിതെങ്കിലും ആ കുടുംബങ്ങളിലെ ജീവികൾക്കുപോലും മാറ്റമില്ലാത്തതെങ്ങിനെത്തീരുന്ന ദുരന്തങ്ങളിലുള്ള അനന്തരവന്മാരെ കയ്യൊഴുക്കുകയും അന്തിമവരങ്ങൾ ഇരുപകരിക്കും. കോഴിക്കോട്ട് സാമൂതിരി ഒരു സ്ഥാനികുടുംബത്തിലെ കാരണവരാണ്. ഇതിനെ ബഹുമാനപ്പെട്ട ചീഫ് മിനിസ്റ്റർ മലബാർ സന്ദർശിച്ചപ്പോൾ സാമൂതിരി തിരുമുഖ്യാട്ട് ഗംഭീരമായ ഒരു കീഴ്വഴി നടത്തുകയുണ്ടായി. അതേ സമയം ആ സാമൂതിരി കുടുംബത്തിലെ ഒരു അനന്തരവൻ ഇന്ന്

[Sri K. C. Gopalan Unni.]

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കോഴിക്കോട്ട് അനാഥമന്ദിരത്തിലാണ് താമസിക്കുന്നതെന്ന് ചൂണ്ടിക്കാണിച്ചുകൊള്ളട്ടെ. അതുപോലെ ലക്കക്കണക്കിനു ഉറപ്പികയുടെ സ്വത്തുള്ള വാലക്കാട്ടു രാജാവിന്റെ ചില അനന്തിരവന്മാർ സ്പെഷ്യൽ വിററാണ് ജീവിതം കഴിക്കുന്നത്. സ്ഥാനികളായ ഞളിലെ അനന്തിരവന്മാർ ഇങ്ങനെ ജീവിക്കാൻ മാറ്റിമറിച്ചതെ തെളിയലയുന്നതിന് എത്ര ഉദാഹരണങ്ങൾ വേണ്ടമെങ്കിലും ചൂണ്ടിക്കാണിക്കാൻ സാധിക്കും.

സർ, മലബാറിൽനിന്നു വരുന്ന സകലമതേന്ദ്രന്മാരും ഈ ബില്ലിനെ അനുകൂലിക്കുമെന്ന് എനിക്കു ഉറപ്പുണ്ട്. ഇതിനെ സംബന്ധിച്ച് വിവരിച്ച ഒരു പ്രസംഗം ചെയ്യേണ്ട ആവശ്യമുണ്ടെന്നു എനിക്കു തോന്നുന്നില്ല. കാലതാമസംകൂടാതെ, ഇന്നുതന്നെ ഈ ബില്ല് പാസ്സാക്കിത്തരണമെന്നു ഗവണ്മെന്റിനോട് അഭ്യർത്ഥിച്ചുകൊണ്ട് ഞൻ എന്റെ പ്രസംഗം അവസാനിപ്പിച്ചുകൊള്ളുന്നു.

SRI R. KRISHNAN : Sir, I second the motion.

MR. SPEAKER : Motion moved—

“ That the Malabar Sthanams Bill, 1955 (L.A. Bill No. 26 of 1955), be taken into consideration.”

* THE HON. SRI C. SUBRAMANIAM : Sir, after considering the scope of the Bill, I am afraid that it will not be possible for the Government to agree to take this Bill into consideration immediately. Hon. Members are aware that the Hindu Succession Bill is under the consideration of Parliament. If that Bill becomes law, most of these properties will be covered by that Act and, therefore, before knowing the final shape of the Hindu Succession Bill and how it would be passed by Parliament, I do not think it would be advisable to take up a parallel legislation with reference to succession of property in the Legislature here. It is not an ordinary matter of mere procedure but is a matter affecting the rights of people with reference to property. Unless we know the final shape in which that Bill becomes law in the Parliament, it may not be possible for this Government to come to any positive conclusion with regard to this. That is why I would request the hon. Member not to press this Bill at this stage. Let us wait till the Parliament passes that Bill. After that, with the necessary modifications, this Bill can be considered. I would therefore request the hon. Member to agree to defer the consideration of this Bill for the present.

SRI K. C. GOPALAN UNNI : Sir, if the Government are prepared to consider this Bill after Parliament passes the Hindu Succession Bill, I agree to withdraw the motion.

The motion was by leave withdrawn.

SRI S. SWAYAMPRAKASAM : Sir, before the next item is taken up, I would like to know the duration of the present sitting. To-day is 26th November. May I know from the Hon. the Leader of the House how long we are sitting and whether we will be transacting any business on the 29th November?

THE HON. SRI C. SUBRAMANIAM : Sir, as I have already mentioned, on the 28th November we will not be sitting. We will be sitting on the 29th from 11 a.m. to 5 p.m. That will be the last day so far as this sitting is concerned.

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(3) THE CODE OF CRIMINAL PROCEDURE (MADRAS SECOND AMENDMENT) BILL, 1955.

SRI V. GOPALA GOUNDER : Sir, I move—

“ That leave be granted to introduce the Code of Criminal Procedure (Madras Second Amendment) Bill, 1955.” 10-50 a.m.

SRI A. RATNAM : I second the motion.

MR. SPEAKER : Motion moved—

“ That leave be granted to introduce the Code of Criminal Procedure (Madras Second Amendment) Bill, 1955.”

(After a pause)

What does the Hon. Finance Minister say?

SRI V. GOPALA GOUNDER : The motion is only for leave for introduction.

MR. SPEAKER : Even leave for introduction may be opposed.

* THE HON. SRI C. SUBRAMANIAM : Sir, I am sorry it will not be possible for me to agree to the grant of leave for introducing the Bill. Recently the Parliament has amended the Code, and the amending Act has not even come into force. It will not be advisable to make an amendment so soon after the amendment by Parliament. Let us work the Code as amended for three or four years. If we then find that there are real difficulties, we can make the necessary amendment. As a matter of fact, we ourselves are considering how to get over the difficulties. I would request the hon. Member to give some time to the Government to take action on the executive side.

* SRI V. GOPALA GOUNDER : Sir, after all I am moving only for leave for introduction. The ultimate fate of the Bill could be decided at the consideration stage.

The objects of my Bill are stated in the Statement of Objects and Reasons appended to it. The Code of Criminal Procedure was recently amended by Central Act XXVI of 1955. That Amending Act omitted section 407 and amended sections 408 and 409 so as to provide for appeals against convictions passed by Magistrate of Second and Third Classes to the Court of Session. In our country the levy of a fine of even a pie is considered a blot on the character of the person, and so every convicted person would like to appeal to get the conviction set aside. The Court of Session is generally located in the district headquarters, and parties who are residing far away are put to great hardship in preferring appeals. Provision for appeals to the Court of Session increases the work of that Court and results in delay in the disposal of these appeals. The objects of the Central Amendment Act were, (1) to provide adequate facilities to every accused person for defending himself, and (2) to ensure speedy disposal of

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criminal judicial business. Both these objects are not achieved by the provision of appeal to the Court of Session, as has been pointed out above.

Then, it was said that the object of amending section 407 so as to provide for appeals to the Court of Session was 'as a step towards effecting separation of the Judiciary from the Executive'. The idea in the minds of the Members of Parliament might have been that provision for appeal to Subdivisional Magistrates might lead to miscarriage of justice because they did not know the intricacies of law. Separation of the judiciary from the executive has been effected throughout our State and even Subdivisional Magistrate Courts are presided over by judicial officers, and therefore the possibility of miscarriage of justice does not arise even if the appeal is preferred to the Subdivisional Magistrates.

My Amending Bill seeks to remove the absence of easy access to the parties of the Court of appeal due to distance and to minimise delay in the disposal of appeals. The Hon. Finance Minister is a lawyer and he knows the difficulties of the people in going to a Court of Session. If he gives an assurance that he will bring forward some other measure to remove these difficulties, I have absolutely no objection to withdraw my motion.

* THE HON. SRI C. SUBRAMANIAM: If I explain the position, I am sure the hon. Member will appreciate why I am opposing even leave for introducing the Bill. As a matter of fact, I am quite aware of the difficulties. After considering the whole matter, I thought they could be removed by declaring all Subdivisional Magistrates as Assistant Sessions Judges for the purpose of hearing appeals only. That was the proposal I made. When the proposal was referred to the Government of India, they said that this proposal might defeat the very object with which the Code was amended recently and that appeals should lie to persons higher up in the judicial hierarchy.

The arrangement that I now propose to suggest is this. District Magistrate is a person of the same rank as the Assistant Sessions Judge. He may be designated as the Assistant Sessions Judge for the purpose of disposing of appeals. He will be sitting at various places and disposing of cases. He will be doing original trial work so that he may be conversant with that work also, apart from the Sessions work. I am hoping that this arrangement will obviate the difficulties pointed out by the hon. Member. Let us wait for at least a year and see how the Code as amended works. Under these circumstances I request the hon. Member to withdraw his motion.

* SRI V. GOPALA GOUNDER: I quite appreciate the views expressed by the Hon. Minister. Even the District Magistrate is holding his court in the district headquarters. If he tours and holds the court in different places for the purpose of hearing appeals, I have no objection to that course. District Magistrates have not got adequate original work in most of the Courts. I will

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be satisfied with this arrangement. But the implementation of this arrangement should synchronise with the coming into force of the Central Amending Act.

THE HON. SRI C. SUBRAMANIAM: Yes, this will come into force along with that.

SRI V. GOPALA GOUNDER: Sir, I beg leave of the House to withdraw my motion.

The motion was, by leave, withdrawn.

(4) THE SWAYAMARIYATHAI MARRIAGES VALIDATION BILL, 1955.

SRI P. RANGASWAMI REDDIAR: Sir, I move—

“That leave be granted to introduce the Swayamariyathai Marriages Validation Bill, 1955.”

SRI K. R. SAMBANDAM: I second the motion.

THE HON. SRI C. SUBRAMANIAM: I am not opposing the motion.

MR. SPEAKER: The question is—

“That leave be granted to introduce the Swayamariyathai Marriages Validation Bill, 1955.”

The motion was put and carried.

SRI P. RANGASWAMI REDDIAR: Sir, I introduce the Bill.

(5) THE MADRAS SLUM IMPROVEMENT (ACQUISITION OF LAND) BILL, 1955.

SRI A. RATNAM: Sir, I move—

“That leave be granted to introduce the Madras Slum Improvement (Acquisition of Land) Bill, 1955.”

SRI V. GOPALA GOUNDER: I second the motion.

THE HON. SRI C. SUBRAMANIAM: I do not want to oppose it at this stage.

MR. SPEAKER: The question is—

“That leave be granted to introduce the Madras Slum Improvement (Acquisition of Land) Bill, 1955.”

The motion was put and carried.

SRI A. RATNAM: Sir, I introduce the Bill.

B. Resolutions

MR. SPEAKER: Sri C. Kandasamy will move the resolution standing in his name.

SRI C. KANDASAMY: I am not moving the resolution.

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(1) APPOINTMENT OF A COMMITTEE OF M.L.A.S. TO ENQUIRE INTO THE WORKING OF THE P.C.C. SOCIETIES IN MALABAR.

SRI V. SANKARANARAYANA MENON : Mr. Speaker, Sir, I move the resolution standing in my name—

“This Assembly recommends to the Government that a committee consisting of the members of the Assembly be appointed to enquire into the conditions of the working of the producer-cum-consumer co-operative societies of Malabar and make a report to Government about their financial position, the loss, if any, suffered by the societies with reasons and the persons responsible for the same, the steps taken by the authorities from time to time to supervise the working of these societies and their future.”

SRI K. T. SREEDHARAN : I second the motion.

Mr. SPEAKER : Motion moved—

“This Assembly recommends to the Government that a committee consisting of the members of the Assembly be appointed to enquire into the conditions of the working of the producer-cum-consumer co-operative societies of Malabar and make a report to Government about their financial position, the loss, if any suffered by the societies with reasons and the persons responsible for the same, the steps taken by the authorities from time to time to supervise the working of these societies and their future.

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a.m. SRI V. SANKARANARAYANA MENON : Sir, I gave notice of this Resolution about a year ago. Since then the Government have taken some steps to reorganise the Producers'-cum-Consumers' Co-operative Societies of Malabar. These societies were started first in 1947 when there was food scarcity and when food control was in force. It worked well then and rendered great help to the people of that locality. The societies were also able to make a good profit. Moreover, it was only in Malabar that the scheme worked in every nook and corner. After the removal of food control, the societies were not given a correct lead. Hence, great loss was incurred by several societies. The Government were partly responsible for this, because the societies were under dual control. They were carrying on trade in food articles and to that extent, they were under the control of the Collector. The societies being under dual control, the Co-operative Department did not take care of the management of the societies. Hence, great loss was incurred by the societies. Now, the Government have appointed a special staff for reorganizing the societies. But still they have not settled the accounts with many societies. Hence, the societies are not able to do any work. But they have to be maintained and consequently, great losses are incurred. In those days these societies were the biggest organizations in Malabar. I would like that those societies should be maintained and run on proper lines in the best interests of the co-operative movement in Malabar. Therefore, I request that my Resolution may be accepted.

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* SRI M. NARAYANA KURUP : Mr. Speaker, the Mover of the Resolution himself referred to some proposals of reorganization now going on in this respect. But I would submit that they do not at all touch even the fringe of the problem. There were about 107 Producers'-cum-Consumers' Co-operative Societies in Malabar. They had a subscribed capital of about Rs. 42 lakhs. The Reserve Fund itself amounted to more than Rs. 26 lakhs. We know that they functioned under a peculiar circumstance, that is, in the days of control. We were sure that the controls were not to last for ever. Even while the food position was improving, we were requesting the Government to take proper and timely steps so that when decontrol came, the societies might not collapse. But the Government did not do the right thing at the right time with the result that when decontrol was proclaimed, the condition of many societies deteriorated and many of them went into liquidation. This could have been avoided if proper steps had been taken at the proper time. Then, to a question put on the floor of this House yesterday or day before yesterday, the Hon. the Minister for Agriculture (who is now in charge of Civil Supplies) said that there was no stock of foodgrains in Malabar with the Producers'-cum-Consumers' Co-operative Societies. It may be so, but still these societies have not been taken over by the Co-operative Department. That was exactly the complaint of the societies also. Even to-day the Government have not taken very serious steps to settle the dues from the societies to the Government and the dues from the Government to the societies. In this connexion, I wish to mention one fact. The Hon. the Minister for Agriculture said that sums to the extent of Rs. 27 lakhs were due to the societies and that in these long years only a claim to the tune of about Rs. 4 lakhs had been settled. We can now imagine the delay caused and the difficulties of the societies. The societies are not responsible for the delay in the settlement of claims. It is the Government that is responsible for the loss. But they say that they are not responsible. That is a matter which has to be gone into very carefully.

Another important item of dispute between the Government and the societies was with respect to the interest payable by these societies. As I said, the societies owned large quantities of foodgrains, much beyond their requirements and the Government were charging interest on them. But they were not paying counter-interest. Sometimes foodgrains worth Rs. 2, 3 or 4 lakhs were transferred from the societies but they were credited to their account only six months, one year and two years thence. All these years they had to pay interest while they were not paid counter-interest since the stock of foodgrains were transferred from their godowns to other societies and even to societies outside the State.

Therefore, Sir, all these are very serious matters and every day 11-10
 the societies are making representations on account of the loss a.m.
 incurred in this respect as well as in many other respects. There
 were instances when huge losses were incurred on account of the

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orders of the Government themselves. At a certain point the Government would issue an order saying 'Do not sell such and such foodgrains until further orders of the Government.' After months they would issue an order saying that it should be sold. Meanwhile, the foodgrains might have deteriorated very considerably and there were Societies which incurred heavy losses on account of the delay caused by the Government in issuing final orders. That is another aspect that has to be gone into.

Then, above all, after all those claims are settled, there is the question of reorganization. There was a golden opportunity in the district of Malabar to take the spirit of co-operation into every nook and corner. But for the fact that the time was propitious and there was an insistent necessity, a net work of such widespread organization could not have been built up. Sir, even when the Societies were formed, the Registrar who was entrusted with the formation of Societies said 'Why ten lakhs? You will not be able to collect even ten thousand rupees.' But in one month, because of the circumstances and necessity, we were able to collect such a huge capital and form these one hundred Societies with ramifications all over Malabar. But, as I said, because of want of care and proper attention by the Government many of them have perished and some of them are still perishing only owing to this mentality of the Government.

Sir, the Committee that has been appointed is of course now considering as to what should be done with these Societies. Some say that they may be converted into rural banks. Others say that they may be converted into multi-purpose societies. But, even that could be done only under the orders of the Government after the settlement of accounts is completed. One of the foremost things now concerns the Societies, is the settlement of the dues between them and the Government. Therefore, it is necessary that a Committee, an impartial Committee, should enquire into that aspect. The claims of the Societies should not be summarily rejected by the superior officers, the Collector or the Board of Revenue. The whole situation will have to be gone into and, I submit, it is but fit that Members of the Legislative Assembly are appointed to go into the various aspects, of course, to make recommendations not only in this respect but also in regard to the transformation or reorganization of these Societies. Therefore, Sir, with great pleasure, I support the Resolution.

SRI C. H. KANARAN : മിസ്റ്റർ സ്പീക്കർ, സർ, മലബാറിലെ പി. സി. സി. സൊസൈറ്റികൾ എല്ലാ രാഷ്ട്രീയകക്ഷികളും ജനങ്ങളും ചേർന്ന് ഉണ്ടാക്കിയിട്ടുള്ള മഹത്തായ സ്ഥാപനങ്ങളാണ്. അവയുടെ ഭാവി ഏതു രംഗത്തിലായിരിക്കണമെന്നുള്ളതിനെപ്പറ്റി ഗാഢമായി ആലോചിക്കേണ്ടതായിട്ടുണ്ട്. പല സൊസൈറ്റികളേയും മറ്റും ബാങ്കുകളായി മാറ്റാനുള്ള ആലോചനയുണ്ട്. മറ്റു പലതിനേയും വിവിധോദ്ദേശ സംഘങ്ങളാക്കാനുള്ള നടപടികളും നടന്നുവരുന്നുണ്ട്. എന്നാൽ പൊതുവേ ഈ സൊസൈറ്റികളെ സംബന്ധിച്ചിടത്തോളം ഗൗരവത്തോടെ വേണ്ടപോലെ ശ്രദ്ധചെലുത്തുന്നതോ എന്ന് സംശയമാണ്. പല പല നിബന്ധനകളും ഏല്പിട്ടുത്തി, ഈ പി. സി. സി. സൊസൈറ്റികൾ മൂൻ ബാങ്കുകളാക്കി മാറ്റിയും മറ്റും ജനോപകാരപ്രദമായ സ്ഥാപ

26th November 1955] [Sri C. H. Kanaran]

നമ്മായി പ്രവർത്തിക്കുന്നതിന് സഹായകമല്ലാത്ത ഒരു നിലപാടാണ് ഗവണ്മെന്റ് സ്വീകരിച്ചു കാണുന്നത്. നല്ല നിലയിൽ നടത്തിയാൽ ജനങ്ങൾക്കു വളരെ ഗുണം ചെയ്യാൻ കഴിയുന്ന ഈ സ്ഥാപനങ്ങളെ ഇന്നത്തെ ന്യൂനതയോടുകൂടി പരിശോധിക്കുന്നതിനായി എങ്ങനെയാണ് രക്ഷിക്കുക, ഏതു തരത്തിൽ സംഘടിപ്പിച്ച് പ്രവർത്തിക്കാം എന്ന് സൊസൈറ്റികളിൽനിന്ന് ജനങ്ങൾക്ക് കൂടുതൽ പ്രയോജനം ഉണ്ടാകാൻ സാധിക്കുക എന്നതിനെ സംബന്ധിച്ചെല്ലാം സൂക്ഷ്മമായി അന്വേഷിക്കേണ്ടിയിരിക്കുന്നു. കഴിഞ്ഞ കാലത്ത് ചില സൊസൈറ്റികളിൽ ചില ഭരണഘടനകളും ഉണ്ടായിട്ടുണ്ട് : പല തരത്തിലും പലതായിട്ടുണ്ട്. കറേ പണമെല്ലാം ഭരണച്ചുമതല വഹിച്ചിരുന്നവർ തട്ടിക്കൊണ്ടു പോയിട്ടുണ്ട്. മറ്റു വിധത്തിലും ചില സൊസൈറ്റികൾക്ക് നഷ്ടം വന്നിട്ടുണ്ട്. ഇങ്ങനെയെല്ലാം സംഭവിക്കാൻ കാരണമെന്ത്? നഷ്ടം വന്നത് എങ്ങനെ നികത്താൻ, തട്ടിക്കൊണ്ടുപോയ ആളുകളിൽനിന്നു ആ പണം എങ്ങനെ തിരിച്ചെടുക്കാം എന്നെല്ലാം ഒന്ന് അന്വേഷിക്കേണ്ടതു് അത്യാവശ്യമാണ്. വളരെ ഗൗരവത്തോടുകൂടി ആലോചിക്കേണ്ട ഒരു പ്രധാന കാര്യമാണ് ഇത്. അന്വേഷേച്ഛ ഒരു അന്വേഷണാധികാരിയെ നിയമിക്കുന്നത് വളരെ ഉത്തമമായിരിക്കും. അതിനുവേണ്ടി കൊണ്ടുവന്നിട്ടുള്ള ഈ പ്രമേയത്തെ ഞാൻ പിന്തുടരുന്നു. ഗവണ്മെന്റ് ഇത് സ്വീകരിക്കണമെന്ന് അപേക്ഷിക്കുന്നു.

* SRI O. KORAN : മിസ്റ്റർ സ്പീക്കർ, സർ, മലബാറിലെ പി.സി.സി. സൊസൈറ്റികളുടെ പ്രവർത്തനത്തെ സംബന്ധിച്ച് കൃത്യമായി അന്വേഷിച്ച് തീരുമാനമെടുക്കാൻവേണ്ടി ഒരു അന്വേഷണാധികാരിയെ നിയമിക്കണമെന്ന ആവശ്യപ്പെടുന്ന ഈ പ്രമേയം വളരെ പ്രാധാന്യമുള്ള ഒന്നാണ്. ചില പി.സി.സി. സൊസൈറ്റികളുടെ ഭരണച്ചുമതല വഹിക്കുന്ന ആളുകളുടെ അശുചിത്വം തട്ടിക്കൊണ്ടുപോയവർ ഉണ്ടായിരുന്ന വിശ്വാസത്തിനനുസരിച്ച് വലിയ ഇടക്കുതട്ടിയിട്ടുണ്ട്. ഇതിന്റെ ഉത്തരവാദിത്വം ഗവണ്മെന്റിന്തന്നെയാണെന്ന് പറയാതെ തരമില്ല. സാധാരണ പ്രസ്ഥാനത്തിന്റെ ശരിയായ പുരോഗതിക്കും അഭിവൃദ്ധിക്കും ഉതകുന്ന മാർഗ്ഗങ്ങളിൽനിന്നു പ്രസ്ഥാനത്തെ നയിക്കാതെ ആരംഭിക്കാൻ മുമ്പോട്ടുപോകുന്ന പ്രസ്ഥാനത്തെ നയിക്കുന്നതിനുള്ള നടപടികളും പദ്ധതികളുമാണ് ഡിപ്പാർട്ട്മെന്റിന്റെ ചുമതല വഹിക്കുന്ന ഉദ്യോഗസ്ഥന്മാർ സ്വീകരിച്ചിട്ടുള്ളത്. സൊസൈറ്റികളെ കത്തക മുതലാളിമാരും ജന്മിമാരുംകൂടി കൈയടക്കി ബഹുജനോപയോഗപ്രദമായ പ്രസ്ഥാനങ്ങളാക്കിത്തീർത്തിട്ടുണ്ട്. വിശേഷിച്ചും പി.സി.സി. സൊസൈറ്റികളുടെ ഭരണസമിതികളെല്ലാം കത്തകമുതലാളിമാർക്കൊക്കെ നിർദ്ദേശിക്കുകയാണ്. സ്വന്തം കച്ചവടരംഗങ്ങളെ സംരക്ഷിക്കുവാനും സൊസൈറ്റികളിലും വരുമാനമുണ്ടാക്കി സ്വന്തം കീഴയിലാക്കാനും കിണങ്ങു പരിശ്രമിച്ചുകൊണ്ടിരിക്കുന്ന ഭരണകൂടം ആളുകളുടെ കൈയിൽ വെട്ടിത്തീർന്ന ഫലമായി ബഹുജനക്ഷേമത്തെ മുൻനിറുത്തിക്കൊണ്ടുണ്ടാക്കിയ പലസൊസൈറ്റികൾക്കും നാട്ടുകാരുടെ നന്മക്കും കേരളത്തിനുമേലേക്കിട ഒന്നും ചെയ്യാൻ കഴിഞ്ഞിട്ടില്ല. എന്നാൽ അതുകൊണ്ട് പ്രസ്ഥാനത്തെ അല്ലാതെ ആക്ഷേപിക്കുന്നത് നശിപ്പിക്കുന്നതും ശരിയല്ല. വളരെ നല്ല നിലയിൽ പ്രവർത്തിക്കാനും മറ്റൊരു കാര്യങ്ങൾ നേടാനും കഴിഞ്ഞിട്ടുള്ള ചില സൊസൈറ്റികളുണ്ടെന്ന് ഞാൻ ചൂണ്ടിക്കാണിച്ചുകൊള്ളട്ടെ. ചേറുവാ പാലം പണിയുന്നതിന് ഏഴു ലക്ഷം ഉറുപ്പിക കൊടുക്കാൻ അവിടത്തെ പി.സി.സി. സൊസൈറ്റികൾക്കു സാധിച്ചിട്ടുണ്ട്. മറ്റു പല സൊസൈറ്റികൾക്കും ഇതുപോലെ പല നല്ല കാര്യങ്ങളും ചെയ്തിട്ടുണ്ട്. അങ്ങനെ മറ്റൊരു കഴിവുകളുള്ള ഒരു പ്രസ്ഥാനങ്ങളെക്കുറിച്ച് തെറ്റിദ്ധാരണ ജനിപ്പിക്കുന്നതിനും അതിൽ ജനങ്ങൾക്കുള്ള വിശ്വാസം ഇല്ലാതാക്കുന്നതിനും ഇടയാകുന്ന പരിതസ്ഥിതി മലബാറിലെ പി.സി.സി. സൊസൈറ്റികളെ സംബന്ധിച്ചിടത്തോളം ഉദ്വേഗമുള്ളതുകൊണ്ട് അതിനുള്ള ഉത്തരവ് ദാദിത്വം പൂർണ്ണമായും ഗവണ്മെന്റിനതാണെന്നാണ് ഞാൻ പറയും. സൊസൈറ്റികളുടെ നടത്തിപ്പിനെക്കുറിച്ചു അന്വേഷിക്കാൻ ചുമതലപ്പെട്ട ഉദ്യോഗസ്ഥന്മാർ അവരുടെ ചുമതല നിർവ്വഹിച്ചിട്ടില്ല. കഴുപ്പങ്ങളും വീഴ്ചകളും ഡിപ്പാർട്ട്മെന്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവന്നാൽ അദ്ദേഹം അന്വേഷണം നടത്തി പരിഹാരമുണ്ടാക്കുക, അവ ആവർത്തിക്കരുതെന്നുള്ള നടപടികൾ സ്വീകരിക്കുക എന്നൊരേപ്പാടില്ല. അതിനുള്ള ഉത്തരവ് ഗവണ്മെന്റിന്റെ വിധികൊണ്ടും സൊസൈറ്റികൾക്കു വലിയ നഷ്ടം

[Sri O. Koran]

[26th November 1955]

സഹിഷ്ണുവെന്നിട്ടുണ്ട്. അങ്ങാടിപ്പുറം സൊസൈറ്റിതന്നെ അതിനു നല്ലൊരു മാതൃകയാണ്. കോയമ്പത്തൂരിലും മധുരയിലും മറ്റും സ്റ്റോക്കുചെയ്തിരുന്ന അരി മാറ്റം ചെയ്യുപ്പോൾ കേടുള്ള അരി മുഴുവൻ ആ സൊസൈറ്റിയുടെ തലയ്ക്ക് കെട്ടിവെച്ചതിന്റെ ഫലമായി സൊസൈറ്റിക്കു വലിയ നഷ്ടം സംഭവിച്ചിട്ടുണ്ട്. അങ്ങനെ മറ്റു പല സൊസൈറ്റികൾക്കും നഷ്ടം സംഭവിച്ചിട്ടുണ്ട്. അതിന്റെ ഫലമായി പൊതുജനങ്ങളുടെ പണം വളരെക്കുറയ്ക്കുകയും ജനങ്ങൾക്കു സൊസൈറ്റികളിലുള്ള വിശ്വാസം നഷ്ടപ്പെടുകയും ചെയ്തു. ചുരുക്കത്തിൽ ശരിയായി പ്രവർത്തിച്ചാൽ വമ്പിച്ച കച്ചവടങ്ങളുള്ള ഒരു പ്രസ്ഥാനത്തെപ്പറ്റി ജനങ്ങൾക്കിടയിൽ തെറ്റിദ്ധാരണയുണ്ടായിപ്പോകാം. വളരുന്നതിനുള്ള നടപടികളാണ് ഗവണ്മെന്റ് ആരംഭിക്കാൻ മുൻപോട്ടു സാധിക്കുകയെന്നിട്ടുള്ളത്. ഈ സൊസൈറ്റികളിൽ പലതിനേയും ഐക്യനാണയ സംഘങ്ങളായി മാറ്റാനുള്ള ശ്രമങ്ങൾ നടന്നുകൊണ്ടിരിക്കുകയാണ്. എന്നാൽ ഗവണ്മെന്റിന്റെ നയത്തിന്റെയും നടപടികളുടെയും ഫലമായി അതിലും ജനങ്ങൾക്കു വിശ്വാസമില്ലാതെ വന്നിരിക്കുകയാണ്. ഈ അപകടത്തിൽനിന്നും പ്രസ്ഥാനത്തെ രക്ഷിക്കേണ്ടത് അടിയന്തിരമായ കരാവശ്യമാണ്. അതുകൊണ്ട് ഈ പി. സി. സി. സൊസൈറ്റികളുടെയെല്ലാം സമ്പത്തികമായ നിലയെന്ത്, അവയ്ക്കുണ്ടായിട്ടുള്ള നഷ്ടങ്ങളെന്ത്, ആ നഷ്ടത്തിന് ഉത്തരവാദികളായ്, നഷ്ടം എങ്ങനെ ചെയ്തതായി, ഈ തെറ്റുകളും നഷ്ടങ്ങളും ആവർത്തിക്കാനിരിക്കാനുള്ള മാർഗ്ഗങ്ങളെന്തെല്ലാം, സൊസൈറ്റികളെ എങ്ങനെ പുനഃസംഘടിപ്പിച്ചാലാണ് ഏറ്റവും കൂടുതൽ പ്രയോജനമുണ്ടാകാൻ കഴിയുക എന്നിങ്ങനെയെല്ലാമുള്ള കാര്യങ്ങളെപ്പറ്റി രൂപരേഖയായ ഒരു അനവേഷണം നടത്തി രീതിമാനപ്പെടുത്തേണ്ടതായിട്ടുണ്ട്. അതിലേയ്ക്കുവേണ്ടി ഒരു അനൗദ്യോഗിക കമ്മിറ്റിയെ നിയമിക്കണമെന്നും ശുപാർശ ചെയ്തതും സർവ്വമാം സാധിക്കാത്തതാണ്. ഗവണ്മെന്റ് ഇത് സ്വീകരിക്കുമെന്ന് വിശ്വാസിക്കുന്നു.

11-20 a.m. SRI P. K. GOPALAKRISHNAN: Mr. Speaker, Sir, while supporting the "Resolution to appoint a Committee to go into the working of the Producers'-cum-Consumers' Societies in Malabar, I want to make certain observations regarding its future reorganisation which is very important.

Sir, the Government are considering the question of reorganising the societies into Credit Societies or Rural Banks and also how best the funds accumulated by these societies can be used for the benefit of the people. In that connection, I want to make a few suggestions.

Firstly, while making the societies into Rural Credit Banks, the Government prescribe a rule that the Directors of the Bank should take a share of Rs. 250 or more. The present rule regarding the election of a Director of a 'producers'-cum-consumers' society is that any ordinary member can be elected as Director. Sir, the producers'-cum-consumers' societies have been doing business in lakhs of rupees and several of the societies have done it creditably. Of course, a few societies have not functioned well. When the Government could entrust a business worth lakhs of rupees to the producers'-cum-consumers' societies where an ordinary shareholder can be elected as a Director, why should they now change that rule and prescribe that only a member who takes a share of more than Rs. 250 can be made Director of Rural Banks? Sir, this new prescription by the Government is generally objected to by the people and there is much objection by several producers'-cum-consumers' societies. For example, the

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Nattika Firka producers'-cum-consumers' society at its General Body meeting has objected to this prescription and I can tell this House that this producers'-cum-consumers' society has been running very well without any loss and it has accumulated lakhs of rupees in its Reserve Fund. Sir, the Reserve Funds accumulated by these societies can be used for several beneficial purposes. The Government can prescribe a rule that Reserve Funds accumulated by the societies may be used for development works or for educational purposes. For instance, the Nattika producers'-cum-consumers' society at its General Body meeting passed a resolution that an amount of Rs. 30,000 from its Reserve Fund can be utilised for the construction of a College building at Tirprayar. The proposal to construct a College at Tirprayar has been there for the last several years but it could not be started for want of enough funds. That proposal which was sent two or three years ago was not accepted by the Government. But I am glad to tell the House that last month the Government have accepted the proposal of the General Body of the producers'-cum-consumers' society and have passed orders for the utilisation of the Reserve Fund for the construction of the College. Several of the societies have accumulated huge reserve funds, six or seven times the share capital. Sir, by putting a limit on the accumulation of the reserve fund, the surplus funds can very well be utilised for the beneficial purposes mentioned by me just now. All these things can also be gone into by the Committee that may be appointed to go into the working of these societies. With these words, I support the Resolution that is now before the House.

* SRI K. MADHAVAN NAMBIAR : മിസ്റ്റർ സ്പീക്കർ, സർ, മലബാറിലെ പി. സി. സി. സൊസൈറ്റികൾ റിസർവ്വ് ഫണ്ടായും മറ്റും ഗവണ്മെന്റിലേക്ക് ധാരാളം പണം സമാധിച്ചുകൊടുത്തിട്ടുണ്ട്. വിപ്ലവ നികുതിയിനത്തിൽതന്നെ വമ്പിച്ച ഒരു തുക ഗവണ്മെന്റിന് കൊടുത്തിട്ടുണ്ട്. പല നല്ല പൊതുകാര്യങ്ങൾക്കു വേണ്ടിയും പി.സി.സി. സൊസൈറ്റികൾ വളരെ പണം സംഭാവന ചെയ്തിട്ടുണ്ട്. ഇങ്ങനെയൊക്കെയുണ്ടെങ്കിലും പൊതുവെ സഹകരണപ്രസ്ഥാനത്തോടുകൂടുന്ന ജനങ്ങൾക്കു വളരെ അത്രപ്പി ഉണ്ടാകത്തക്കവിധത്തിലായിരുന്ന ഈ സൊസൈറ്റികളുടെ നാടത്തിപ്പ്. അതിനു പ്രധാന ഉത്തരവാദി ഗവണ്മെന്റാണ്. ഗവണ്മെന്റിനീക്കം കൊടുത്ത ധാന്യങ്ങൾക്കു കൃത്യമായി വിലകൊടുക്കണം, കൊടുക്കാൻ രാമസിദ്ധാൽ പലിശ കൊടുക്കണം എന്നീ കാര്യങ്ങളുമാം വലിയ കണിശമായിരുന്നു. അതെസമയം ഗവണ്മെന്റ് സൊസൈറ്റികൾക്കു കൊടുക്കേണ്ട പണത്തിന് പലിശയില്ല. ധാന്യങ്ങൾ തിരിച്ചെടുക്കണമെന്നാശ്വസ്സുതാൽ അതിനും എത്രയോ കാലതാമസം ഉണ്ടായിട്ടുണ്ട്. അങ്ങനെ സൊസൈറ്റികൾക്കു വളരെ നഷ്ടം സംഭവിച്ചു. കൂടാതെ ചില സൊസൈറ്റികളുടെ ഭരണച്ചുമതല വഹിച്ചിരുന്ന ആളുകൾ ധാരാളമായി കുട്ടിട്ടുണ്ട്. ഒരു ലക്ഷത്തോളം ഉറപ്പിക കണ്ടെത്തിട്ടുള്ള ആളുകളുണ്ട്. കളവു നടത്തിയാൽ സമയത്ത് അനേകപ്പണം നകത്തി കേന്ദ്രപ്പെടുകയോ നഷ്ടം ഈടാക്കുകയോ ചെയ്യുക എന്നൊരേപ്പാട് ഉണ്ടായിട്ടില്ല. ഒരുവേള കേന്ദ്ര ചാർജ്ജ് ചെയ്യാൻ എന്നെയും കട്ടവർ അവസാനം എങ്ങനെയെങ്കിലും രക്ഷപ്പെടുന്നതായിട്ടാണ് കണ്ടുവരുന്നത്. ഇതിന്റെയെല്ലാം ഫലമായി സഹകരണപ്രസ്ഥാനത്തിൽ നാട്ടുകാർക്ക് അവിശ്വാസവും അത്രപ്പിയുമാണ് ഉളവായിട്ടുള്ളത്. അതുകൊണ്ട് ഇപ്പോൾ ഉണ്ടാകാനാദ്യേരിക്കുന്ന ക്രെഡിറ്റ് സൊസൈറ്റികളിലും ആളുകൾക്കു ശ്യാഭാവികമായി വലിയ വിശ്വാസമൊന്നുമില്ലെന്നു വരാം. ഇതിന് പരിഹാരം കണ്ടുപിടിച്ച് സഹകരണപ്രസ്ഥാനത്തിൽ ജനങ്ങൾക്കു വിശ്വാസം ഉണ്ടാക്കിത്തീർക്കുന്നതിനും പി. സി. സി. സൊസൈറ്റികൾ ഭാവിയിൽ

[Sri K. Madhavan Nambiar] [26th November 1955]

കൂടുതൽ നല്ല നിലവിലും പ്രയോജനപ്രദമായും പ്രവർത്തിക്കുന്നതിന് എന്തെല്ലാമാണ് ചെയ്യേണ്ടതെന്ന് അന്വേഷിക്കുന്നതിനും ഒരു അനുബന്ധാധിക കമ്മിറ്റിയെ നിയമിക്കണമെന്നുള്ള ഈ പ്രമേയത്തെ ഗവണ്മെന്റ് അംഗീകരിക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു.

* **SRI P. KUNHIRAMA KIDAV :** മിസ്റ്റർ സ്പീക്കർ, സർ, മലബാറിലെ സഹകരണപ്രസ്ഥാനത്തിന്റെ ഭാവിയിലെ സംബന്ധിച്ചുകേൾക്കേണ്ടതും അതിപ്രധാനമായിട്ടുള്ള ഒരു പ്രമേയമാണിത്. മലബാറിലുടനീളമുള്ള മിക്കവാറും കടബാധ്യത കൊണ്ട് കടം വിട്ടാനുള്ള മാഗ്നൈറ്റിലൂടെ വിചിത്രമായൊരു സാഹചര്യം ഉണ്ടായിട്ടുണ്ട്. കടബാധ്യതയിൽനിന്നു വിമുക്തനാകാൻ കൂടിക്കാഴ്ച എടുത്തതിൽ ന്യായമായ പലിശയ്ക്കു കടം കിട്ടാനുള്ള സൗകര്യമുണ്ടാക്കിക്കൊടുക്കേണ്ടതു് ഉത്തരവാദിത്തമുള്ള ഒരു ഗവണ്മെന്റിന്റെ കർത്തവ്യമാണ്. മലബാറിലെ പി.സി.സി. സൊസൈറ്റികളെ റൂറൽ ബാങ്കുകളായി മാറ്റി അവിടത്തെ കൂടിക്കാഴ്ചയിൽ നിലനില്പിനും കേന്ദ്രത്തിനും ഉപയുക്തമായ നിലയിൽ പ്രവർത്തിക്കാൻ സാധിക്കും. പല പി.സി.സി. സൊസൈറ്റികളുടേയും ജനറൽ ബോഡി കൂടി റൂറൽ ബാങ്കുകളായി മാറ്റാൻ അനുവാദത്തിനും ആവശ്യപ്പെട്ടിട്ടുണ്ട്. എന്നാൽ ഗവണ്മെന്റ് അത്ര സഹായകരമല്ലാത്ത ഒരു നയമാണ് സ്വീകരിച്ചുകൊണ്ടിരിക്കുന്നത്. ചില സൊസൈറ്റികളിൽനിന്നും ആവശ്യമായ പാസ്സാക്കി അയച്ച പ്രമേയങ്ങൾ ഇന്നും തീരുമാനമെടുക്കാതെ ഗവണ്മെന്റിന്റെ ഫയലുകളിൽ കിടക്കുകയാണ്. പി.സി.സി. സൊസൈറ്റികൾ അങ്ങനെ ഇന്നു ഒരു നൂറുകണക്കായി കിടക്കുകയാണ്. അതേ സമയം ഉദ്യോഗസ്ഥന്മാർക്കു ശമ്പളം കൊടുത്തും മറ്റുമായി സൊസൈറ്റികളുടെ പണമെല്ലാം നശിച്ചുകൊണ്ടിരിക്കുകയും ചെയ്യുന്നു. ഈ നിലയ്ക്കു കടന്നു ചേർന്ന മലബാറിലെ കൂടിക്കാഴ്ച അത്യാവശ്യമായ ധനസഹായം നൽകുന്നതിനായി ഈ സൊസൈറ്റികളെയെല്ലാം റൂറൽ ബാങ്കുകളായി മാറ്റുന്നതിന്നു ഗവണ്മെന്റ് അഭിപ്രായത്തിലായ നടപടികൾ സ്വീകരിക്കേണ്ടതാണ്. അക്കാമ്പിത്തിൽ ഗവണ്മെന്റിന്റെ സൗപര്യമേ പരിഹരിക്കൂ. ഞാൻ വിശ്വസിക്കുന്നു. അതോടൊപ്പംതന്നെ ഈ സൊസൈറ്റികളെ ഭാവിയിൽ എങ്ങനെ പുനഃസംഘടിപ്പിച്ചാലാണ് കൂടുതൽ ഉപയോഗപ്രദമായ സ്ഥാപനങ്ങളാക്കിത്തീർക്കാൻ സാധിക്കുക എന്നു അന്വേഷിക്കുന്നതിന്നു ഒരു കമ്മിറ്റിയെ നിയമിക്കുകയെന്നുള്ളതും ഏറ്റവും അഭിപ്രായപ്പെടാവുന്നതും അത്യാവശ്യമായിട്ടുള്ള ഒരു കാര്യമാണെന്നു എനിക്കു അഭിപ്രായമുണ്ട്. അതുകൊണ്ട് ഞാൻ ഈ പ്രമേയത്തെ പിന്തുടരുന്നു. ഗവണ്മെന്റ് ഇതു് സ്വീകരിക്കണമെന്നു അഭ്യർത്ഥിക്കുന്നു.

10-30
a.m.

* **THE HON. SRI C. SUBRAMANIAM :** Mr. Speaker, Sir, I am sorry my Colleague in charge of this subject is not present here to-day and I am sure he would have been able to do better justice in dealing with the subject-matter. But still with reference to certain points raised I may be in a better position to answer those points. With deference to the future set-up of the producers'-cum-consumers' societies, I am sure my Colleague in charge of that subject is taking all necessary measures for the purpose of reorganising those societies. If the Government are not in a position to agree to this resolution it is not because that they are not in agreement with many of the points raised by hon. Members. But in my view this resolution was misconceived and it will not be possible to achieve the objects which the hon. Members have in mind by passing this resolution. These societies, if I may say so, were 'control babies'. They thrived on food controls and they were able to function and build large resources, as mentioned by hon. Members, because of the existence of food controls and the monopoly given to those societies to deal in foodgrains. But for that it would not have been possible for these societies to function successfully. But now after the lifting of controls, they are in a very bad position. With regard to the working of these societies

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during control days hon. Members made various complaints against the terms and conditions under which these societies dealing in foodgrains had to work. But in spite of those stringent conditions they were able to make large profits and build up large resources. That only goes to show that the conditions under which they were working during the control days were not onerous and that these societies were making huge profits during the control days. If there has been mismanagement and due to that some loss it is not because the conditions were stringent. It is not because of the conditions imposed on them that they incurred losses. The terms and conditions under which these producers'-cum-consumers' societies operated were quite favourable and they made huge profits.

A complaint has been made that the accounts have not yet been settled and a large number of societies are yet to receive money from the Government for the various past transactions and that it has been long pending without settlement. I may assure hon. Members that now the controls have been given up and State Trading in foodgrains has been wound up, every effort is being made to settle these accounts. As a matter of fact, daily some file is coming up for the purpose of settling these accounts with reference to these societies. Ere long we hope that it should be possible to close these accounts with reference to State Trading in foodgrains, and that means the settlement of accounts of these producers'-cum-consumers' societies also. As far as that is concerned nothing will be served by the appointment of a Non-official Committee consisting of Members of this Honourable House as this matter has to be dealt with by the Accounts Officers. We are trying our best to dispose of the various pending matters as expeditiously as possible. We have fixed a time target for the purpose of completing looking into these transactions and taking final decisions on those things. If I remember right 31st March of next year is the target date and we hope it would be possible to settle the accounts by that date because these are the only matters pending, and there are no other matters pending with the Department. Mr. Kurup mentioned the various dealings of these societies with the Government in respect of foodgrains and with reference to that I would like to tell him that no purpose will be served by the appointment of such a committee.

With reference to the future of these producers'-cum-consumers' societies I do agree that these organisations should be reorganised and utilised to the best advantage possible for the benefit of the people of Malabar and that is the aim of Government also. The Registrar of Co-operative Societies is making various attempts for the reorganisation of these societies. In that connection, we have got to see whether any Committee is necessary and if any Committee is appointed whether they could do any work under the existing laws. Hon. Members may be

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aware that these are all bodies registered under the Madras Co-operative Societies Act and, therefore, if any enquiry has got to be made into the affairs of these societies it will have to be made under the provisions of the Madras Co-operative Societies Act and not under any other provision. The only provision in the Co-operative Societies Act is Section 38 under which an enquiry can be made into the affairs of these societies and that could be done only by the Registrar of Co-operative Societies and not by any non-official body. Therefore, if we appoint a Non-official Committee here without changing the law we have to consider whether that body will have the power to enquire into the affairs of any society and to ask the office-bearers of these societies to produce the accounts of the societies and give other necessary particulars for the purpose of this enquiry. Unfortunately, we cannot compel them and that being so what purpose will be served by the appointment of a Committee which will have no powers under existing law to go into the affairs of these societies? The hon. Members will have to take into consideration this point in considering the resolution.

* SRI M. NARAYANA KURUP : That is not the sole or main purpose of the resolution though it may also come incidentally. The purpose of this resolution is to go into the accounts and dealings of the societies on the one side, and the policy of the Government which gave directions during the days of control to these societies on the other hand and the relations between the two. That is the main purpose of the resolution and not to go into the internal working of these societies.

SRI S. SWAYAMPRAKASAM : Only when a particular society does not work properly, action under Section 38 of the Co-operative Societies Act comes in. But here all the societies in Malabar District have failed and we have to find out what are the main reasons for their failure. Here Section 38 does not come in the picture.

11-40
a.m.

* THE HON. SRI C. SUBRAMANIAM : Sir, evidently, the hon. Member has not looked into the wording of the Resolution which says : "This Assembly recommends to the Government that a Committee consisting of the members of the Assembly be appointed to enquire into the conditions of the working of the Producers'-cum-Consumers' Co-operative Societies of Malabar and make a report to Government about their financial position". The question is whether any non-official body has got the power to enquire into the working of these societies. We will have to go into the various transactions and the accounts. Can we compel any society that they should produce the accounts? This is after all a statutory body and statutory bodies are governed by the existing provisions of law and the rules framed for their working. We cannot appoint any other body to go into the working and therefore no effective purpose will be served by the appointment of a

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non-official body at this stage. That is my first point. Under law it will be an infructuous body and I do not think this Assembly should take the responsibility of appointing such a body without amending the Act, giving powers to the non-official body to go into the affairs of these societies.

So far as past transactions are concerned, I have already informed the House that the Government are looking into the matter and passing orders in cases where the societies are entitled to recoup any money from the Government. Even for the purpose of finding out that, I do not think that a non-official body will be in a better position than a Government officer. A Special officer has been appointed for this purpose and he is scrutinizing the accounts and taking orders of Government in respect of each society. Under these circumstances, I do not think that a non-official body will be the proper authority for the purpose of scrutinizing the accounts of these societies.

Then we should also take into account the autonomy of the societies. The persons primarily interested in the societies are the Members concerned and, if they feel that any particular society is not being properly managed and should be wound up, there is provision in the Co-operative Societies Act for making an application for that purpose by the Members concerned. Therefore, it is not necessary to interfere with the affairs of an autonomous body working under the provisions of a certain Act. From that point of view also, it should be left to the department concerned and not to a non-official body. Further, the Government have also no power except under the provisions of Section 38 of the Madras Co-operative Societies Act to order an enquiry into the matter. Therefore, merely passing a resolution of this kind will not confer any power. After all, hon. Members must know that by passing a resolution we are only recommending to the Government to take a particular action, namely to order an enquiry into the working of the various societies. We must also look into the powers of the Assembly and consider whether we have got power to order an enquiry. That is why I say that this resolution is only recommendatory and we are not giving any extra authority to the Government. So the question whether such a recommendation can be implemented by the Government will have to be considered by the hon. Members. The powers of the Government with reference to these societies are defined in the Act and we cannot go beyond them.

SRI S. SWAYAMPRAKASAM: Sir, the multi-purpose societies exist not only in Malabar but in other parts of the State also. But the complaints about the working of these societies in the other parts of the State are not so great. So far as Malabar is concerned, there is the general complaint that these societies are not working properly. Therefore the question is what are the special reasons and factors that are not conducive to the proper working of these Societies in Malabar. That is a relevant

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question and a Committee will have to be appointed to go into that. Section 38 is invoked only when particular societies go wrong and when the accounts of particular societies are not maintained properly. So such a Committee may be necessary to find out the general defects so far as Malabar district is concerned.

* THE HON. SRI C. SUBRAMANIAM: I am afraid the hon. Member has proceeded on a wrong basis altogether, that every Producers'-cum-Consumers' Co-operative Society is not working properly. There are many societies which are still working properly. There are only a few individual cases where they have mismanaged completely and have incurred losses. Therefore, it will be unnecessary to go into the affairs of each society and find out what has been the reason for the loss and mismanagement in each case. It is not a question of general enquiry being made without going into the affairs of each society. That will be the main difficulty. The Government cannot get any extra authority merely because of this resolution to pass any order beyond the provisions of the existing Act governing the working of these societies. Therefore, we will be passing an infructuous resolution in respect of a matter in regard to which even the Government have no power to pass an order for making an enquiry.

At the same time, we are aware of the seriousness of the situation and are earnest that the defects found in the working of these societies should be rectified and that the societies should be re-organised and utilised for the benefit of the people.

SRI V. SANKARANARAYANA MENON: Sir, cannot the Government appoint at least an Advisory Committee to advise them in the matter of the reorganisation of these societies? There are certain difficulties as pointed out by Sri P. K. Gopalakrishnan and I have also experienced some. When societies are reorganised, conditions are imposed under which it is impossible to run them. That is the position in Malabar. Under such conditions, it would be better to appoint an Advisory Committee. There can be no legal difficulty and I think it could be done. That will also be helpful for the reorganization work now carried on in Malabar.

* THE HON. SRI C. SUBRAMANIAM: The suggestion made by the hon. Member just now is quite different and I am unable to give an immediate answer because I am not in charge of that subject. Certainly I shall pass on that suggestion to my colleague who is in charge of that portfolio. But here we are not concerned with that. If it is necessary and advisable that a Committee should be constituted for the purpose of assisting the Special Officers who are going into the question, certainly this matter could be considered by the department or by the Minister concerned. But now we are considering this Resolution. I am sure that the hon. Member himself feels convinced now that there will be no use in passing such a Resolution. That is why he has made an alternative suggestion. Still I want to inform the House

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the steps which are now being taken for the reorganization of these societies because that is the most important thing. Apart from the question of appointing an Advisory Committee, the question now is how to salvage these societies and put them on a better and more secure basis so that they may function as 'Producers'-cum-Consumers' Co-operative Societies or other forms of societies. That is why I would like to inform the House in general the steps which are being taken by the Government in this respect.

A conference of the representatives of the Producers'-cum-Consumers' Societies was convened at Kozhikode on 22nd February 1955 at the instance of the Government and conference has passed several resolutions regarding the future of these societies. All those resolutions have been examined and Government have passed orders on most of them. They have accepted many of the resolutions and are implementing them. There are a few more resolutions which are still under examination and the Government hope to take final decisions on those resolutions also very soon. Since the Collector felt that it would not be possible for him to act effectively in the reorganised set-up of these societies, whatever might have been his position when these societies were dealing only in controlled grains, the Government have issued an Order that the Registrar of Co-operative Societies should take over the management of these societies under the Act. Therefore, all the 107 societies are now under the jurisdiction of the Registrar of Co-operative Societies whereas formerly they were under the control of the Collector of Malabar.

* SRI M. NARAYANA KURUP: One of the Resolutions which was being repeatedly passed was that the Government, though they may take their own time for settling the accounts, should immediately assume the management of these societies and should not wait till the last pie has been paid or received by them so that these societies need not maintain unnecessary staff and incur loss. I do not know whether that has been examined.

* THE HON. SRI C. SUBRAMANIAM: That has also been considered and much progress has been made. I shall give some figures. I hope the hon. Member will be satisfied. The position as on 15th November 1955 is as follows:

1. Number of societies re-registered as other types of societies	25
2. Number of societies liquidated	18
3. Number of societies in respect of which proposals for converting them as Rural Banks have been received by the Registrar and are pending with him. (That is the main proposal under consideration).	51

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4. Number of societies in respect of which liquidation proposals have been received by the Registrar and are pending with him	...	...	...	...	...	3
5. Number of societies in respect of which the possibility of re-registration or winding up is under examination	...	...	...	...	...	10
						107

Therefore, the Department is fully aware of the importance of the subject and is taking all possible steps to re-organise these Producers-cum-Consumers' Co-operative Societies. Under these circumstances, I would respectfully submit that there is no necessity for any enquiry committee. It is all easy to suggest, but the point is whether we have power to appoint an enquiry committee. After all, when we appoint committees, we will be only postponing decisions pending the result of the enquiry to be made by the committee. Now that we are taking final decisions in respect of these societies, it will only be hindering the taking of further decisions in these matters.

11-50 a.m. I have made the position of the Government clear. It is not as if we are not interested in reorganizing and putting these societies on a sound basis. We also are very much interested in the proper working of these societies and steps are being taken in that direction. Therefore I appeal to the Mover to withdraw the motion.

SRI V. SANKARANARAYANA MENON: Mr. Speaker, I withdraw the motion. At the same time I would request the Hon. Minister to appoint an advisory committee to advise the Government in the matter of reorganization of the Producers'-cum-Consumers' Co-operative Societies of Malabar. I take what he has said about the advisory committee as an assurance for appointing a committee.

THE HON. SRI C. SUBRAMANIAM: I am sorry the hon. Member has taken it as an assurance. I cannot commit my Hon. Colleague, but I will pass on the suggestion to him.

SRI V. SANKARANARAYANA MENON: In the light of this assurance, I beg leave of the House to withdraw my motion.

The resolution was, by leave, withdrawn.

MR. SPEAKER: As the hon. Member Sri S. Ramalingam is absent, the resolution standing in his name is deemed to have been withdrawn.

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(2) LEASING OUT OF GOVERNMENT AND PRIVATE CULTIVABLE WASTE LANDS TO POOR AGRICULTURAL LABOURERS.

SRI K. C. GOPALAN UNNI : Sir, I move—

“ This Assembly recommends to the Government to take urgent steps for the leasing of cultivable waste lands belonging to both the Government and private landlords to agricultural labourers and poor peasants.”

SRI P. K. GOPALAKRISHNAN : I second the motion.

MR. SPEAKER : Motion moved—

“ This Assembly recommends to the Government to take urgent steps for the leasing of cultivable waste lands belonging to both the Government and private landlords to agricultural labourers and poor peasants.”

SRI K. C. GOPALAN UNNI : മിസ്റ്റർ സ്പീക്കർ, സർ, ഈ പ്രമേയത്തിന്റെ തത്വം ഗവണ്മെന്റ് വളരെ മുമ്പുതന്നെ വാക്കുകൊണ്ട് അംഗീകരിച്ചിട്ടുള്ളതാണ്. പ്രയോഗത്തിൽ വരുത്തേണ്ട അടങ്ങിയുള്ള. പ്രയോഗത്തിൽ കൊണ്ടുവരുന്നതിനുള്ള ഒരു ശുപാർശ മാത്രമാണ് ഈ പ്രമേയം. മലബാറിലാണെങ്കിൽ കഴിഞ്ഞ നാലു കൊല്ലക്കാലമായി ഗവണ്മെന്റിൽനിന്നും കിട്ടിപ്പോകാത്ത പട്ടണങ്ങളിൽനിന്നും വെളിപ്പെട്ടിട്ടുണ്ട്, കൃഷിയെപ്പറ്റിയുള്ള ലക്ഷക്കണക്കിന് കടമകൾ ഭൂമി രഹിതരായി കിടക്കുകയാണെന്നു്. ഈ രാജ്യത്തു കർഷകത്തൊഴിലാളികൾക്കും ചെറിയ കൃഷിക്കാർക്കും ആണ്ടിൽ ആറുമാസത്തിലധികം പ്രവൃത്തിയൊന്നുമില്ലെന്നു് ഇത്തരം ഗവണ്മെന്റ് നടത്തിയ പല അന്വേഷണങ്ങളുടേയും റിപ്പോർട്ടുകൾ നിന്നു സ്പഷ്ടമാണ്. അങ്ങനെയുള്ള ഒരു നാട്ടിൽ, കൃഷിചെയ്യാൻ ഭൂമിയല്ലാത്ത കൃഷിക്കാർ പട്ടണങ്ങളിൽനിന്നും ഒരു നാട്ടിൽ, രാജ്യത്തെപ്പറ്റിയുള്ള കൃഷിയെപ്പറ്റിയുള്ള തരീശ്ശിഭൂമികൾ കൃഷിത്തൊഴിലാളികൾക്കും ചെറിയ കൃഷിക്കാർക്കും പരിഷ്കരിക്കപ്പെടുന്നതോടൊന്നു വാക്കുകൾ പറഞ്ഞുനടക്കുന്നതിന്നു അടിയന്തിരമായ നടപടികൾ കൈക്കൊള്ളേണ്ടതു് അത്യാവശ്യമാണെന്നു പ്രത്യേകം പറയേണ്ടതില്ലല്ലോ. ഇതു പറഞ്ഞാൽ മന്ത്രിമാർ പറയുന്നോളം ജില്ലയിൽ ആയിരക്കണക്കിന് കടമകൾ കൊടുത്തിട്ടുണ്ട്, മറ്റു പല ജില്ലകളിലും കൊടുത്തിട്ടുണ്ട് എന്നല്ലാം ശരിയാണ്. കുറച്ചെല്ലാം കൊടുത്തിട്ടുണ്ടെന്നു് ഞാനും മനസ്സിലാക്കുന്നു. എന്നാൽ, അതു കൊണ്ടായില്ല, ഈ പ്രശ്നത്തിന്റെ ഗൗരവം എത്രയുണ്ടെന്നു ഗവണ്മെന്റ് ഇനിയും മനസ്സിലാക്കിയിട്ടില്ലെന്നാണ് ഗവണ്മെന്റിന്റെ പ്രവൃത്തിയിൽനിന്നും അവസരത്തിൽ നിന്നും സ്പഷ്ടമാകുന്നു. ഇന്നു നാട്ടിൽ പട്ടണങ്ങളിലും കിടക്കുന്നവരിൽ കിടക്കുന്നവരുടെ നടുക്കു നടുക്കു്. ലക്ഷക്കണക്കിന് കടമകൾ തരിശു ഭൂമികൾ കിടക്കുമ്പോൾ അങ്ങനെയുള്ള കൃഷി കൊടുക്കുന്നില്ലെന്നു മാത്രമല്ല, കൃഷി ചെയ്യുവാനു ഭൂമികളിൽനിന്നുപോലും കൃഷിക്കാരെ ഒഴിപ്പിച്ചു പുറത്താക്കുന്ന കാര്യമാണ് എങ്ങും കാണുന്നതു്. തരിശുഭൂമികൾ കൊടുക്കും കൊടുക്കുമെന്നു വളരെക്കാലമായി പ്രസംഗിച്ചു കഴിഞ്ഞു കഴിഞ്ഞു. ഇനിയെങ്കിലും ഒട്ടും കലശലാക്കുന്ന വരുത്താതെ അതു പ്രയോഗത്തിൽ കൊണ്ടുവരേണ്ടതിന്റെ ആവശ്യകത ഗവണ്മെന്റിന്റെ ശ്രദ്ധയിൽപ്പെടുത്താനാണ് ഞാൻ ഈ പ്രമേയം അവതരിപ്പിച്ചിട്ടുള്ളതു്. മലമ്പുഴ അണക്കെട്ടു വന്നതിന്റെ ഫലമായി അവിടെയുണ്ടായിരുന്ന എത്രയോ ജന്മിമാനികൾക്കു വീടും കിടപ്പുമെല്ലാം ഉപേക്ഷിച്ചു പോകേണ്ടിവന്നിട്ടുണ്ട്. അവർക്കു സ്ഥലം കൊടുക്കാൻ ഗവണ്മെന്റ് ഒരു പ്രശ്നം ഉണ്ടായിട്ടുണ്ട്. സ്ഥലമില്ലാത്തവർക്കു മലബാറിൽ തരിശു ഭൂമികൾ ധാരാളം കിടപ്പുണ്ടെന്നു ഗവണ്മെന്റിന്റെ കണക്കുകൾകൊണ്ടു തന്നെ സ്പഷ്ടമാണ്. എന്നിരുന്നെങ്കിലും, വടശ്ശേരി മണലിയാരുടേയും പുത്തൂർ നമ്പൂരിപ്പാടിന്റെയും മറ്റും വകയായി ആയിരക്കണക്കിന് കടമകൾ കൃഷിയോടൊന്നു മാത്രം ഭൂമി രഹിതരായി കിടപ്പുള്ളതു്. ജനപ്പെരുപ്പവും തൊഴിലില്ലായ്മയും ഭയങ്കരമായ തോതിലുള്ള മലബാറിൽ എത്രയോ ആയിരം ഏക്കർ ഭൂമി രഹിതരായി കിടപ്പുണ്ടെന്നു പറഞ്ഞാൽ വിശ്വസിക്കാൻ പ്രയാസമായിരിക്കും. എങ്കിലും, അതു് ഒരു യാഥാർത്ഥ്യം മാത്രമാണ്. ഈ കാര്യത്തെ സംബന്ധിച്ചു ചീർച്ചയായി പ്രസംഗിക്കേണ്ട ആവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. പ്രശ്നത്തിന്റെ ഗൗരവവും അടിയന്തിരവുമായും ഗവണ്മെന്റിന്റെ കണ്ണിൽ

11-54
a.m.

[Sri K. C. Gopalan Unni] [26th November 1955]

പ്രവേശനം ഗവണ്മെന്റ് കെ. ചെട്ടി കാണണമെന്നും മാത്രമേ എനിക്കു ഗ്രഹമുള്ളൂ. അതുകൊണ്ട് ഗവണ്മെന്റ് ഈ പ്രമേയത്തെ സംഗീകരിക്കണമെന്നും അടിയന്തിരമായി പ്രവൃത്തിയിൽ കൊണ്ടുവരണമെന്നും ഞാൻ അഭ്യർത്ഥിക്കുന്നു.

11-57
a.m.

SRI M. PALANIYANDI : அவைத் தலைவர் அவர்களே, நண்பர் K. C. கோபாலன் உன்னி கொண்டுவந்திருக்கும் தீர்மானத்தை ஆதரித்து நான் பேசும் காலத்தில், சமூகத்தில் கிராம மக்களிடையே நிலப்பசி அதிகமாகியிருக்கிறதென்பது எல்லோருக்கும் தெரியும். நாமும் இங்கே எவ்வளவோ சட்டங்கள் இயற்றியிருக்கிறோம். உதாரணமாக, ஹரிஜன மக்களை முன்னுக்குக் கொண்டுவரவேண்டும், தாழ்த்தப்பட்ட மக்களாகிய அவர்கள் சமூகத்தில் நன்றாக முற்போக்காக இருக்கவேண்டுமென்பதற்காக தீண்டாமை ஒழிப்புச் சட்டம், இன்னும் அதுபோன்ற சட்டங்கள் இயற்றியிருக்கிறோம். என்றாலும், உண்மையாக ஹரிஜன மக்கள் சமூகத்தில் முற்போக்குக்கு வரவேண்டுமென்றால், அவர்களுடைய நிலப்பசி தீர்க்கப்பட வேண்டுமென்று பல தடவைகள் உறுப்பினர்கள் இங்கு எடுத்துக்கூறியிருக்கிறார்கள். அதற்காகத்தான், கிராமப் புறங்களிலுள்ள புறம்போக்கு நிலங்களை அவர்களுக்கு வழங்க சர்க்கார் உடனடியாக முன்வரவேண்டும் என்று வற்புறுத்தி வருகிறோம். இப்போது பொதுவாக நஞ்செய் நிலமாக இருந்தால் 2½ ஏக்கரும், புஞ்செய் நிலமாக இருந்தால் 5 ஏக்கரும் கொடுக்கலாம் என்று தாக்கீது அனுப்பப்படுகிறது. கிராமங்களிலுள்ள புறம்போக்கு நிலங்கள் எல்லாம், நிலம் படைத்தவர்கள் கையில் இருந்து வருகின்றன. எவ்வளவு நிலம் யார் யார் கையிலிருக்கிறது என்பது பற்றி சரிவர survey செய்து, ஜில்லாக்களிலுள்ள முக்கியஸ்தர்களுக்கு தெரிவித்தால்தான், அவர்கள் நிலமற்ற ஏழைகளுக்குத் தெரிவித்து, நிலம் வேண்டுமென்று கேட்கக்கூடிய ஏழைகளுக்கு நிலம் கிடைக்க வழி செய்ய முடியும். ஆனால் இது காரியத்தில் நடப்பதில்லை, அப்படி நடக்க விரிவாகியில்லை நிலம் படைத்தவர்கள். எனவே, அரசாங்கப் புறம்போக்கு நிலமாக இருந்தாலும் ஏரி, அல்லது நிலம்படைத்தவர்கள் புறம்போக்கு நிலம் வைத்திருந்தாலும் சரி, அவற்றை ஏழைகளுக்கு வழங்க சர்க்கார் உடனடியாக முழு மூச்சுடன் வேலை செய்யவேண்டும்.

மேலும் survey செய்யப்படாத நிலங்கள் இருக்கின்றன. உதாரணமாக ஜமின்தாரி area இன்னும் survey செய்யப்படவில்லை. ஜமின்களிலுள்ள கணக்குப் பிள்ளைகள் தாங்கள் வைத்ததுதான் சட்டம் என்று வேலை செய்து வருகிறார்கள். எனவே, உடனடியாக இந்த ஜமின்தாரி area-கள் survey செய்யப்படவேண்டும்.

புறம்போக்கு நிலங்கள் இப்போது எப்படியிருக்கிறதென்றால், ஏழை விவசாய மக்களினப்பேரில், அந்த நிலங்களை பெரு நிலசுவாந்தார்களும், நடுத்தர நிலம்படைத்தவர்களும், 10 ஏக்கர், 12 ஏக்கர் என்று ஆர்ஜிதம் செய்துகொண்டு, அவர்கள் கண்களில்படாமல் காரியமாற்றிவருகின்றனர். இவற்றையெல்லாம் கண்டறிந்து தக்க நடவடிக்கை எடுத்து, நிலமில்லாத ஏழை மக்களுக்கு, இந்த புறம்போக்கு நிலங்களை கொடுக்க சர்க்கார் வழி செய்யவேண்டுமென்று எதிர் கட்சியிலுள்ளவர்களும், காங்கிரஸ் கட்சியை சேர்ந்த விவசாய அங்கத்தினர்களும் பலதடவை இந்த கமிட்டி கேட்டுக்கொண்டிருக்கிறார்கள். இதை செயலாற்றவேண்டுமென்றுதான் தீர்மானம் கூறுகிறது. திருச்சியில் என்னுடைய தொகுதியில் 4, 5 ஏக்கர் புறம்போக்கு நிலத்திற்காக பல பாடுகள் பட்டுக்கொண்டிருக்கிறோம். சில சமயங்களில் புறம்போக்கு வரப்போரத்தில் வந்துவிட்டால் சீக்கிரமாக காரியம் நடைபெறுவதில்லை. கணக்குப் பிள்ளை யாருக்கு சேர்ந்தது என்று சொன்னால் காரியம் சீக்கிரம் முடிந்துவிடுகிறது. இல்லையெல், கடைசி வரையில் 4, 5 ஆண்டுகள் ஆனாலும் கிடைக்காமல் போய்விடுகிறது. ஏதோ மிகுந்த பாடுபட்டு எங்கள் தொகுதியில் 4, 5 ஏக்கர புறம்போக்கு கிடைத்திருக்கிறது என்றால் நிலைமை எவ்வளவு மோசமாக இருந்து கொண்டிருக்கிறது என்பது தெளிவாகிறது. ஆகவே, இந்த விஷயத்தை கனம் ரெவின்யூ மந்திரி அவர்கள் துரிதப்படுத்தவேண்டுமென்று கேட்டுக் கொள்ளுகிறேன்.

26th November 1955]

[Sri M. Palaniyandi]

கிராமங்களில், சில புறம்போக்கு நிலங்களை ரோட்டுப் புறம்போக்கு, ஏரி புறம்போக்கு என்பார்கள். கிராமங்களுக்கு ஏரிகள் வேண்டியதுதான். ஆனால் ஏரித் தண்ணீர் எவ்வளவு நிலம் பிடிக்கிறது என்பதை அறிந்து, மீதியுள்ள புறம்போக்கு நிலங்களை ஏழை மக்களுக்கு கொடுக்க முடியுமா என்பதை சீக்கிரம் பரிசீலனை செய்யவேண்டும். நேற்று நான் பேசியபோது கூட, இந்த புறம்போக்கு நிலங்களை பற்றிய பரிசீலனைகளை துரிதப்படுத்த, தாசில்தார்களுக்கெல்லாம் வேண்டிய வசதி செய்துகொடுக்கவேண்டுமென்று சொல்லியிருக்கிறேன். டிபுடி கலெக்டர்களுக்கு கார்கள் கொடுத்திருக்கிறார்கள். அவர் அந்த காரை மாதத்தில் 10, 12 நாட்களுக்கு தாசில்தார்களுக்கு கொடுத்தால் போதாது, தாசில்தார்கள் உடனடியாக சுற்றிப்பார்த்து புறம்போக்கு நிலங்களைப்பற்றி புள்ளி விவரங்களை தயாரித்து, நிலமற்ற ஏழைகளுக்கு வழங்கவேண்டும். அப்படி வழங்குவதில் first preference, முதல் சலுகை யாருக்கு கொடுக்கவேண்டுமென்றால், ஹரிஜனங்களுக்கு கொடுக்கவேண்டும். அடுத்தபடி நிலமற்ற ஏழைகளுக்கு கொடுக்கவேண்டும். இந்த விஷயத்தை ஒத்திப்போட்டுக் கொண்டு போகக்கூடாது. முன்பு தோழர் பி. ராமமூர்த்தி இது குறித்து ஒரு சட்டம் கொண்டுவந்தபோது, புறம்போக்கு நிலம் இல்லை என்று சர்க்கார் தரப்பில் கூறப்பட்டது. புறம்போக்கு நிலம் இல்லை என்று சொல்ல முடியாது. நிலம் படைத்தவர்கள் நிறைய புறம்போக்கு நிலம் வைத்துக் கொண்டிருக்கிறார்கள். கிராமங்களில் ஆங்காங்கேயுள்ள கணக்குப் பிள்ளைகள், Village Munsif-கள் வைத்துக்கொண்டிருக்கிறார்கள். ஆகவே, நிலம்படைத்தவர்கள் வைத்துக்கொண்டிருக்கும் புறம்போக்கு நிலத்தையும், கிராமத்திலுள்ள சர்க்கார் புறம்போக்கு நிலத்தையும், கிராமம் கிராமாகப் பிரித்து ஏழை மக்களுக்கு கொடுக்க சர்க்கார் வழிவகை செய்யவேண்டுமென்று மிகவும் கேட்டுக்கொள்ளுகிறேன். இந்தக் காரியம் துரிதமாக நடைபெறாவிட்டால், கிராமங்களில் மேலும் மேலும் தகராறுகளுக்கு, தொந்தரவுகளுக்கு இடமேற்படும் என்பதை வலியுறுத்த விரும்புகிறேன்.

ஹரிஜனங்களை முற்போக்குக்கு கொண்டு வரவேண்டுமென்ற நல்லெண்ணத்தோடு எவ்வளவோ சட்டங்கள் செய்திருந்தாலும்கூட, அவர்கள் பொருளாதாரத்தில் மன்னேருத வரையில், இந்த சட்டங்களினால் பலன் ஏற்படும், அவர்களை முற்போக்குக்கு கொண்டுவந்து விடமுடியும் என்பது வெறும் பகல் கனவாக முடியும் என்பதையும் வலியுறுத்த விரும்புகிறேன். பொருளாதாரத் துறையில் அவர்கள் பிற்பட்டு இருப்பதால்தான் அவர்கள் அடிமை படுத்தப்படுகிறார்கள், துன்புறுத்தப்படுகிறார்கள், அடிக்கப்படுகிறார்கள். இதை எதிர்த்து அவர்கள் வழக்குகள் பதிவு செய்தாலும், நியாயம் அவர்களுக்கு கிடைப்பதில்லை. ஆகவே, பொருளாதாரத் துறையில் அவர்கள் முன்னேற்றம் அடைந்தால்தான், சமூகத்தில் அவர்கள் தலை நிமிர்ந்து போகமுடியும். இதை மனதில் கொண்டு, நிலமற்ற இந்த ஹரிஜன மக்களுக்கு மற்றும் நிலமற்ற ஏழைகளுக்கு புறம்போக்கு நிலங்களை, யார் வைத்திருந்தாலும், நிலம் படைத்தவர்கள் வைத்திருந்தாலும் சரி அல்லது சர்க்கார் புறம்போக்கு நிலமாக இருந்தாலும் சரி, அவற்றுறை ஜாரி செய்துகொடுக்க நல்லதொரு அமைப்பை, திட்டத்தை அரசாங்கம் வகுத்து ஜில்லா அதிகாரிகளுக்கு அனுப்பவேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய பேச்சை முடித்துக்கொள்ளுகிறேன்.

MR. SPEAKER : The House will now adjourn and meet again at 11 a.m. tomorrow.

The House then adjourned (12-5 p.m.).

[26th November 1955]

APPENDIX.

[Vide answer to starred question No. 2905 asked by Sri T. C. Narayanan Nambiar (on behalf of Sri K. P. Gopalan) at the meeting of the Legislative Assembly held on 26th November 1955, page 520 supra.]

The following are the employments suggested for inclusion in the Schedule to the Minimum Wages Act :—

- 1 Cement.
- 2 Potteries.
- 3 Glass.
- 4 Printing Presses.
- 5 Foundry with or without attached machine shafts.
- 6 Automatic Engineering including servicing and repairing work.
- 7 Metal Trade establishments.
- 8 Salt pan.
- 9 Cardamom.
- 10 Textile.
- 11 Wool cleaning, pressing and baling industry.
- 12 Cashewnut.
- 13 Employment in ceramic industry.
- 14 Employment in sugar plantations.
- 15 Employment in Port areas. (At present employment under any local authority appearing in the Schedule covers employment under such Port Trusts as are local authorities. The suggestions relate to all employment in Port areas—Stevedore labour, coal labour, etc., and even if a Port is not declared a local authority.)
- 16 Employment in tile and brick-making establishments.
- 17 Employment in match-making establishments.
- 18 Employment under river valley projects.
- 19 Employment in glass bangle-making establishments.
- 20 Employment under Railways (contract labour).
- 21 Employment in private road transport.
- 22 Hotels, eating houses and restaurants.
- 23 Distilleries.
- 24 Cotton and ginning presses.
- 25 Community projects.
- 26 Coir.
- 27 Shops and Commercial establishments.

Note.—There was consensus of opinion that community projects should not be added to the Schedule.